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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ROBERTO M. GARCIA, JR.,  
  
Plaintiff,  
  
v.  
  
MATTHEW M. JUAREZ, JR.,  
  
Defendant.

Case No. 1:12-cv-00750-AWI-EPG (PC)  
  
ORDER SETTING BRIEFING SCHEDULE  
AND HEARING ON PLAINTIFF’S MOTION  
TO COMPEL DEFENDANT’S PAYMENT OF  
OUTSTANDING FEES  
  
(ECF NO. 176)

On July 5, 2017, Plaintiff filed a motion to compel Defendant’s payment of outstanding fees for Dr. Chen’s deposition service in accordance with his counsel’s breached promise. (ECF No. 176). Pursuant to Local Rule 230, the Court will set a hearing on this motion, and the regular briefing schedule described in Local Rule 230 will apply.<sup>1</sup>

In accordance with the above, IT IS HEREBY ORDERED that:

1. A hearing on Plaintiff’s motion to compel Defendant’s payment of outstanding fees for Dr. Chen’s deposition service in accordance with his counsel’s breached promise is set before Magistrate Judge Erica P. Grosjean on August 28, 2017, at 10:00 a.m., at the Robert E. Coyle Federal Courthouse, 2500 Tulare Street, Fresno, CA 93721 in Courtroom #10;
2. “Opposition, if any, to the granting of the motion shall be in writing and shall be filed and served not less than fourteen (14) days preceding the noticed (or continued)

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<sup>1</sup> The Court notes that Plaintiff should have noticed this motion for hearing. Local Rule 230(b).

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hearing date. A responding party who has no opposition to the granting of the motion shall serve and file a statement to that effect, specifically designating the motion in question. No party will be entitled to be heard in opposition to a motion at oral arguments if opposition to the motion has not been timely filed by that party. See L.R. 135.” Local Rule 230(c);

3. “Not less than seven (7) days preceding the date of hearing, the moving party may serve and file a reply to any opposition filed by a responding party.” Local Rule 230(d); and

4. Counsel may appear in person or telephonically. To appear telephonically, the parties are directed to use the following dial-in number and passcode: 1-888-251-2909; passcode 1024453.

IT IS SO ORDERED.

Dated: July 21, 2017

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE