1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 KRISHNA REDDY, Case No. 1:12-cv-02061-AWI-SAB 12 Plaintiff, ORDER GRANTING IN PART DEFENDANT'S REOUEST TO SHORTEN TIME FOR HEARING 13 ON MOTION TO COMPEL v. 14 PRECYSE SOLUTIONS LLC, et al., (ECF No. 115) 15 Defendants. HEARING DATE: June 17, 2015 at 10:00 a.m. 16 On May 4, 2015, the Court denied Plaintiff's motion for a protective order and ordered her 17 to appear for a deposition and respond to discovery propounded by Defendant in this action. 18 19 (ECF No. 91.) On May 13, 2015, Defendant filed a second motion to compel the deposition of Plaintiff due to her failure to appear at a properly noticed deposition. (ECF No. 93.) 20 On May 21, 2015, Plaintiff filed a motion to disqualify and vacate all orders issued by the 21 undersigned and Defendant filed a second motion to compel Plaintiff to respond to Defendant's 22 discovery requests and a hearing is set for June 17, 2015, at 10:00 a.m. before the undersigned. 23 (ECF No. 98, 103.) On May 22, 2015, District Judge Anthony W. Ishii denied Plaintiff's motion 24 to disqualify and vacate all orders issued by the undersigned. (ECF No. 107.) 25 On May 26, 2015, Plaintiff filed a motion for reconsideration of the May 22, 2015 order 26 denying the motion to disqualify and set aside the orders of the undersigned. (ECF No. 108.) On 27 this same date, an order issued granting Plaintiff's motion to compel and Plaintiff was ordered to 28

appear for a deposition within fifteen days and to pay sanctions of \$4,445.00 for her failure to appear at the deposition. (ECF No. 109.) On June 11, 2015, Defendant filed a third motion to compel the deposition of Plaintiff and a motion to shorten time to hear the motion. (ECF Nos. 114, 115.) On June 12, 2015, Judge Ishii denied Plaintiff's motion for reconsideration with prejudice. (ECF No. 116.)

Upon review of the June 11, 2015 motion to compel, Plaintiff's current and past refusal to appear for her deposition is based upon her position that she does not have to comply with orders of this Court. This issue has previously been addressed by both this Court and Judge Ishii and Plaintiff's arguments on this ground have been rejected. Accordingly, the Court finds that good cause exists to shorten time and that it is in the interest of judicial economy to hear the current motion to compel in conjunction with the motion to compel currently set for oral argument. Argument on the May 21, 2015 motion is set for June 17, 2015, and Plaintiff has been ordered to personally appear for the hearing. If Plaintiff so desires she can request an opportunity to file a written opposition to the current motion at the June 17, 2015 hearing and the court will consider Plaintiff's request to file a written opposition. Otherwise, Plaintiff can orally oppose this motion to compel at the hearing at the June 17 hearing.

Based on the foregoing, Defendants' motion to shorten time is GRANTED IN PART and the motion to compel Plaintiff's compliance with the order requiring her to appear for a deposition shall be heard on June 17, 2015 at 10:00 a.m.

20 IT IS SO ORDERED.

Dated: **June 12, 2015**

UNITED STATES MAGISTRATE JUDGE