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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11	DAVID ESTRADA,	)	Case No.: 1:13cv00919 LJO DLB (PC)
12	Plaintiff,	)	
13	v.	)	ORDER GRANTING PLAINTIFF’S MOTION TO
14	GIPSON, et al.,	)	COMPEL RESPONSES FROM DEFENDANTS
15	Defendants.	)	ESPINOSA AND LAMBERT
16		)	(Document 119)
17		)	ORDER DENYING PLAINTIFF’S MOTION
18		)	FOR SANCTIONS
19		)	(Document 117)
		)	
		)	ORDER REGARDING PLAINTIFF’S MOTION
		)	TO CORRECT DISCREPANCY
		)	(Document 132)

20 Plaintiff David Estrada (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis  
21 in this civil rights action. Plaintiff filed his First Amended Complaint on August 7, 2013. Pursuant to  
22 the Court’s screening order and Plaintiff’s notice of willingness to proceed on the cognizable claims,  
23 this action is proceeding against (1) Defendants Gipson and Espinosa for retaliation in violation of the  
24 First Amendment; and (2) Defendants Gipson, Espinosa, Lambert and Cavazos for violation of the  
25 Eighth Amendment.  
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Discovery closed on December 15, 2014, though numerous motions to compel are pending.

On November 21, 2014, Plaintiff filed a motion to compel responses to his Request for Responses to Interrogatories, Set One, served on Defendants Espinosa and Lambert. He also filed a motion for sanctions.

Defendants did not file an opposition and the Court deems the matter suitable for decision pursuant to Local Rule 230(l).

## DISCUSSION

An interrogatory may relate to any matter that may be inquired into under Rule 26(b), and an interrogatory is not objectionable merely because it asks for an opinion or contention that relates to fact or the application of law to fact. Fed. R. Civ. P. 33(a)(2) (quotation marks omitted). Parties are obligated to respond to interrogatories to the fullest extent possible under oath, Fed. R. Civ. P. 33(b)(3), and any objections must be stated with specificity, Fed. R. Civ. P. 33(b)(4); *Davis v. Fendler*, 650 F.2d 1154, 1160 (9th Cir. 1981). The responding party shall use common sense and reason. *E.g.*, *Collins v. Wal-Mart Stores, Inc.*, No. 06-2466-CM-DJW, 2008 WL 1924935, \*8 (D. Kan. Apr. 30, 2008). A responding party is not generally required to conduct extensive research in order to answer an interrogatory, but a reasonable effort to respond must be made. *Gorrell v. Sneath*, 292 F.R.D. 629, 632 (E.D. Cal. 2013); *L.H. v. Schwarzenegger*, No. S-06-2042 LKK GGH, 2007 WL 2781132, \*2 (E.D. Cal. Sep. 21, 2007). Further, the responding party has a duty to supplement any responses if the information sought is later obtained or the response provided needs correction. Fed. R. Civ. P. 26(e)(1)(A).

According to Plaintiff's motion and attached exhibit, he served Requests for Responses to Interrogatories, Set One, on Defendants Espinosa and Lambert on September 24, 2014.<sup>1</sup> On November 11, 2014, Plaintiff sent Defendants' counsel a request that Defendants provide responses. As of November 13, 2014, the date Plaintiff signed this motion, he had not received any responses.

<sup>1</sup> The Court takes note of Plaintiff's December 15, 2014, motion (Document 132) in which he requests that the Court correct his error in naming Defendant as Robert S. Lambert. His correct name is Richard S. Lambert.

1 Without an opposition from Defendants, the Court cannot determine whether Defendants have,  
2 in the interim, provided responses. Therefore, as it appears that Defendants Espinosa and Lambert  
3 have not responded, the Court will GRANT Plaintiff's motion to compel. Defendants Espinosa and  
4 Lambert SHALL provide responses within thirty (30) days of the date of service of this order. If  
5 Defendants have responded to the requests subsequent to the filing of this motion, they SHALL inform  
6 the Court of their compliance within ten (10) days of the date of service of this order.

7 At this time, the Court will not impose sanctions, and Plaintiff's motion for sanctions is  
8 therefore DENIED.

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10 IT IS SO ORDERED.

11 Dated: December 25, 2014

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE