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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

LEONARD BROWN,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE,

Defendant.

Case No. 1:13-cv-01122-LJO-SKO

**ORDER VACATING FROM THE
COURT'S CALENDAR PLAINTIFF'S
MOTIONS TO COMPEL AND
CONTINUING THE MOTIONS TO BE
CONSIDERED WITH THE PARTIES'
CROSS MOTIONS FOR SUMMARY
JUDGMENT**

(Docs. 15, 18)

On August 6 and 25, 2014, Plaintiff filed a motion to compel discovery and a motion to compel production of a Vaughn Index. (Docs. 15, 18.) Because the motions to compel relate to the substantive issues in the case regarding disclosure of documents under the Freedom of Information Act ("FOIA"), Defendant sought an extension of time to respond to the motions to compel in the form of a summary judgment motion. The request was granted and Defendant filed a motion for summary judgment on September 8, 2014. (Doc. 19.) Thereafter, Plaintiff filed a cross-motion for summary judgment. As the motions to compel discovery and to produce a Vaughn Index are directly related to the substantive issue of production of documents under the FOIA, they must be continued and consolidated with the parties' pending motions for summary

1 judgment.

2 Therefore, in light of 28 U.S.C. § 476(a)(1), the Civil Justice Reform Act, Plaintiffs'
3 motions for summary judgment are DEEMED VACATED from the Court's calendar and will be
4 considered in conjunction with the parties' motions for summary judgment.

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6 IT IS SO ORDERED.

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Dated: March 5, 2015

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/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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