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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL G. VALENCIA,  
Plaintiff,  
v.  
KOKOR, et al.,  
Defendants.

No. 1:13-cv-01391 LJO DLB PC  
ORDER GRANTING DEFENDANT  
KOKOR'S MOTION TO COMPEL  
(Document 86)

Plaintiff Daniel G. Valencia ("Plaintiff") is a California state prisoner proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983. The action is proceeding on Plaintiff's Second Amended Complaint for violation of the Eighth Amendment against Defendants Kokor and Sundaram.

Discovery opened as to Defendant Kokor on February 17, 2016. Pursuant to the Discovery and Scheduling Order, initial disclosures were to be exchanged by April 4, 2016. After the Court granted an extension, exhaustion-based motions are currently due by July 17, 2016.

On June 2, 2016, the Court issued Findings and Recommendations to grant Defendant Sundaram's motion to dismiss with leave to amend. The Findings and Recommendations are pending.

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1 On May 12, 2016, Defendant Kokor filed a motion to compel Plaintiff to (1) provide his  
2 initial disclosures; and (2) respond to exhaustion-based discovery. Defendant Kokor also asked  
3 for the imposition of sanctions in the amount of \$382.50. Plaintiff filed a late opposition on June  
4 13, 2016. Defendant filed a reply on June 20, 2016, and withdrew his request to compel  
5 exhaustion-based discovery and impose sanctions.<sup>1</sup> The motion is therefore ready for decision  
6 pursuant to Local Rule 230(1).

7 **DISCUSSION**

8 Pursuant to the Court's February 17, 2016, Discovery and Scheduling Order, the parties  
9 were ordered to exchange initial disclosures by April 4, 2016. On April 4, 2016, Defendant  
10 Kokor filed a statement with the Court indicating that he provided Plaintiff with his initial  
11 disclosures.

12 Plaintiff, however, has not provided his initial disclosures to Defendant Kokor. Doering  
13 Decl. ¶ 2. Plaintiff's opposition does not address his failure.

14 Accordingly, the Court GRANTS Defendant Kokor's motion to compel. Plaintiff must  
15 provide Defendant Kokor with his initial disclosures within twenty-one (21) days of the date of  
16 service of this order. Plaintiff's failure to comply with this order will result in the imposition of  
17 sanctions.

18  
19 IT IS SO ORDERED.

20 Dated: June 30, 2016

21 /s/ Dennis L. Beck  
22 UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Defendant Kokor has received responses from Plaintiff.