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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DELIA WILSON, on behalf of herself and others similarly situated,

Plaintiffs.

v.

CONAIR CORPORATION,

Defendant.

Case No. 1:14-cv-00894-WBS-SAB

ORDER REQUIRING PLAINTIFF TO PROVIDE SUPPLEMENTAL INFORMATION ON EX PARTE REQUEST TO MODIFY THE DISCOVERY ORDER

(ECF Nos. 74, 75)

DEADLINE: November 4, 2015 at noon

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On October 8, 2015, this Court conducted an informal discovery dispute teleconference with the parties. (ECF No. 72.) Plaintiff was ordered to provide Defendant with a succinct description of the materials sought through discovery on or before October 15, 2015. (ECF No. 73.) If the parties were unable to resolve the dispute, Plaintiff was to request an informal telephonic conference on or before September 29, 2015. (ECF No. 73.) On September 29, 2015, Plaintiff filed an ex parte application to modify the October 8, 2015 order. (ECF No. 74.) Defendant filed an opposition to the application on October 30, 2015. (ECF No. 75.)

In the ex parte application, Plaintiff states that she provided Defendant with a succinct description of the materials sought through discovery in compliance with the Court's order. Defendant replies that Plaintiff did not comply with the Court's order, but served further discovery requests.

Defendant has provided the Court with the additional discovery requests which were served on October 15, 2015. In the October 8, 2015 order, Plaintiff was to provide Defendant with a succinct description of the materials sought through discovery, not to serve a new set of discovery requests on Defendant. If Plaintiff chose to serve a new request for discovery, then pursuant to the Federal Rules of Civil Procedure, Defendant has thirty days to respond and the October 8, 2015 order is moot. Any motion to compel would be premature prior to Defendant's

deadline to respond to the discovery requests.

Plaintiff shall inform the Court if the discovery requests served on October 15, 2015 were the succinct description of the materials sought through discovery, and if not, Plaintiff shall provide

IT IS SO ORDERED.

Dated: November 2, 2015

UNITED STATES MAGISTRATE JUDGE

Accordingly, IT IS HEREBY ORDERED that on or before noon on November 4, 2015,

the Court with the list of materials sought that was provided to Defendant.