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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 DELIA WILSON, on behalf of herself and
12 others similarly situated,

13 Plaintiffs,

14 v.

15 CONAIR CORPORATION,

16 Defendant.

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

ORDER VACATING DECEMBER 16, 2015
HEARING AND REQUIRING COUNSEL
TO APPEAR ON DECEMBER 22, 2015 AT
9:00 A.M.

(ECF Nos. 81, 82, 83)

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18 On June 11, 2014, Plaintiff Delia Wilson filed this action on behalf of herself and others
19 similarly situated. The parties have been unable to resolve numerous discovery disputes and
20 have sought court intervention. The order issued November 6, 2015 denying Plaintiff's
21 application for a court order stated:

22 If the parties are unable to resolve the remaining issues, a motion to compel can be
23 filed after the date by which the discovery responses are due. In the event that a
24 motion to compel becomes necessary, the parties shall contact the courtroom deputy
25 to determine a date by which the Court and parties are available. The parties shall set
26 the motion to compel for hearing on that date and will be required to appear at 8:00
a.m. and should plan to spend the day meeting and conferring until they are able to
resolve the dispute. During the course of the meet and confer, the Court will
periodically check in on the parties' progress in resolving the outstanding issues.

27 (ECF No. 78.)

28 On November 20, 2015 Plaintiff filed a motion to compel and on November 23, 2015,

1 Defendant filed two motions to compel. The parties set the hearing on the motions to compel on
2 December 16, 2015, however the parties, pursuant to this Court's previous order, did not clear
3 this date with the courtroom deputy and the Court is not available on December 16 due to
4 multiple defendant civil trial proceeding in court. Therefore, the parties shall be required to
5 appear on December 22, 2015.

6 If the parties are able to resolve the disputes prior to December 22 they may file a
7 stipulation to withdraw the motions and an order will issue discharging their appearance.
8 However, the Court will not subsequently address these same issues at a later date if the parties
9 withdraw the motions. The motions shall only be withdrawn if the parties completely resolve all
10 these outstanding issues.

11 Accordingly, IT IS HEREBY ORDERED that:

- 12 1. The hearing set for December 16, 2015 at 10:00 a.m. is VACATED; and
- 13 2. Counsel for the parties shall be required to appear on December 22, 2015 at 9:00
14 a.m. and shall plan to spend the day meeting and conferring until they resolve the
15 remaining discovery disputes.

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17 IT IS SO ORDERED.

18 Dated: November 25, 2015



UNITED STATES MAGISTRATE JUDGE