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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Ronald Moore,
Plaintiff,
v.
Times Square Holdings, LLC, et. al.,
Defendant.

No. 1:14-cv-1034-KJM-MJS

**ORDER REGARDING DISCOVERY
DISPUTES**

No discovery motion may be noticed or set for hearing before Magistrate Judge Michael J. Seng without his prior approval obtained in accordance with the following **Telephonic Discovery Dispute Conference** procedures:

1. Requesting a Conference.

A party with a discovery dispute shall confer with the opposing party in a good faith effort to resolve the dispute without court action. If such effort fails, the moving party shall, prior to filling a notice of motion, contact Courtroom Deputy, Laurie Yu at lyu@caed.uscourts.gov to request a pre-motion telephone conference with Magistrate Judge Seng. The request shall be deemed to include a professional representation by the requesting lawyer that

1 a good faith effort to resolve the dispute took place but failed, and it shall
2 advise the Court of dates and times in the next ten day period when all
3 concerned parties can be available to confer regarding the dispute.

4 2. Scheduling

5 The Court will issue a Minute Order advising counsel of the time, date and
6 contact information for connecting to the telephone conference.

7 3. Briefing

8 Not later than four business hours before the scheduled conference, each
9 party shall submit to mjsorders@caed.uscourts.gov, a **one page** brief
10 **objectively and factually** outlining the dispute, the party's position on it, and
11 the reasons therefor. The one page shall be in at least twelve point type and
12 include the name of the party and the date of submission. It shall contain
13 nothing more. There shall be no attachments. There shall be no
14 editorializing. Inclusion therein of adjectives or adverbs or any
15 characterization of an opponent's motives, methods, character, past practices,
16 or the like shall subject the author to sanctions.

17 4. The Conference.

18 At the conference, the Court will discuss the issues raised and announce its
19 anticipated ruling on the dispute. If a party is dissatisfied with that ruling, it
20 may seek permission to file a formal motion.

21 5. Further Proceedings.

22 If it is determined that motion papers and supporting memoranda are needed
23 to satisfactorily resolve the dispute, Magistrate Judge Seng shall approve the
24 filing of a written motion filed in conformity with Local Rule 251 (a). (The
25 provisions of Local Rule 251 (b) through (f) will not apply unless the Magistrate
26 Judge so Orders.) Such motion shall without limitation, (1) quote in full each
27 interrogatory, deposition question, request for admission, or request for
28 production in dispute and (2) the response or objection and grounds therefor

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as stated by the opposing party. Unless otherwise ordered by the Court,
deposition transcripts or discovery papers shall not be lodged or filed with the
Court.

IT IS SO ORDERED.

Dated: November 10, 2014

1st Michael J. Seng
UNITED STATES MAGISTRATE JUDGE