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6 UNITED STATES DISTRICT COURT  
7 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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9 JARED M. VILLERY,

10 Plaintiff,

11 v.

12 J. JONES, *et al.*

13 Defendants.  
14

Case No. 1:15-cv-01360-DAD-JDP

ORDER SCHEDULING A TELEPHONIC  
HEARING ON PLAINTIFF'S MOTION TO  
COMPEL AND RELATED DISCOVERY  
ISSUES

ECF No. 57

15  
16 Plaintiff Jared M. Villery is a state prisoner proceeding without counsel in this civil rights  
17 action pursuant to 42 U.S.C. § 1983. Plaintiff has filed a motion to compel additional  
18 responses to interrogatories and the production of more documents. *See* ECF No. 57.  
19 Defendants oppose the motion, arguing that they have responded to or properly objected to  
20 plaintiff's requests. *See* ECF Nos. 59, 60. Plaintiff replied to their responses on July 17, 2019.  
21 ECF No. 64.

22 The court will hold a telephonic discovery conference on August 28, 2019, at 2:00 pm.

23 The parties are strongly encouraged to confer on the scope of discovery prior to the  
24 conference and are reminded, as we have noted previously in this case, that "[b]oilerplate  
25 objections are disfavored and may be summarily overruled." ECF No. 32 at 1. If the parties  
26 can reach an agreement or partial agreement on the scope of discovery before the hearing, they  
27 should submit a joint statement to the court not later than close of business on Monday, August  
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1 26, 2019.

2 If the parties cannot reach any agreement on the scope of discovery before the hearing,  
3 they should arrive at the hearing prepared to discuss the following:

- 4 1. Offers to narrow the scope of document requests and reframe interrogatories. For  
5 example, plaintiff represents in the attachments to his motion that he has made offers  
6 to limit the scope of discovery. *See, e.g.*, ECF No. 57 at 51.
- 7 2. Which document requests have received no production (or attempts at production)  
8 and which have received a responsive production (and in what form). For example,  
9 defendants' initial objections to plaintiff's document requests often ended by noting  
10 that, "[b]ased on these objections, Defendant is unable to produce any documents in  
11 response to [the] request." *See, e.g., id.* at 21, 23, 28. And in defendants' opposition  
12 to plaintiff's motion to compel, the paragraph devoted to the requests for documents  
13 states that "[d]efendants have in fact produced any responsive documents that could  
14 be found." ECF No. 60 at 7 (emphasis added). Plaintiff disputes that responsive  
15 documents have been provided for several requests, *see* ECF No. 64 at 6, and it is  
16 unclear whether there was any effort to make a production.
- 17 3. If the parties are unable to reach any agreement on the scope of discovery at the  
18 hearing, they should be prepared to discuss the legal merits of each request and the  
19 objections to each request.

20 **Order**

- 21 1. The court will hold a telephonic discovery conference on August 28, 2019, at 2:00  
22 p.m. (dial-in number: 1-888-204-5984; passcode: 4446176) to discuss matters  
23 identified above.
- 24 2. Plaintiff must make arrangements with staff at his institution of confinement for his  
25 attendance at the conference.
  - 26 a. Plaintiff's institution of confinement must make plaintiff available for the  
27 telephonic conference.
  - 28 b. Before the conference, defense counsel must confirm with plaintiff's

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institution of confinement that arrangements have been made for plaintiff's attendance.

c. The clerk is directed to send a copy of this order to the litigation coordinator at plaintiff's institution of confinement.

IT IS SO ORDERED.

Dated: August 14, 2019

  
UNITED STATES MAGISTRATE JUDGE

No. 205