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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

RODERICK WILLIAM LEAR,
Plaintiff,
v.
JOHNATHAN AKANNO, ET AL.,
Defendants.

Case No. 1:15-CV-01903-DAD-JDP
ORDER GRANTING DEFENDANT’S EX
PARTE APPLICATION TO MODIFY
DISCOVERY AND DISPOSITIVE MOTION
DEADLINES IN SCHEDULING ORDER
ECF No. 108
ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF’S MOTION
ECF No. 103

On April 10, 2020, plaintiff filed a motion seeking clarification, to strike discovery, and a pre-trial conference. ECF No. 103. Because plaintiff represented in his motion that defendants had not responded to discovery requests or otherwise conducted discovery, the court ordered a response. ECF No. 105. In response, defendants acknowledge that discovery has not been completed in this case, ECF No. 107, and seek to reopen discovery according to proposed new deadlines in an ex parte application, ECF No. 108. As it appears that both parties seek discovery, and for good cause shown, defendants’ ex parte application is granted.

1 Plaintiff's motion, ECF No. 103, is granted in part. Plaintiff will have the benefit of a new
2 discovery deadline and the court will clarify where plaintiff should send his discovery requests.
3 However, a pre-trial conference would be premature at this time, and thus the court declines to set
4 one at this juncture. Plaintiff's discovery requests of defendants Akanno and Palomino may be
5 sent to their attorneys at the following address:

6 Susan Coleman
7 Martin Kosla
8 Burke, Williams & Sorensen, LLP
9 444 South Flower Street, Suite 2400
10 Los Angeles, California 90071-2953

11 Should the parties have any discovery-related disputes, they must attempt to resolve those
12 disputes among themselves before filing a motion with the court. *See* Fed. R. Civ. P. 37(a)(1)
13 (requiring the parties to meet and confer regarding discovery disputes before bringing them to the
14 court). Failure to do so will result in denial of any discovery-related motion.

15 Accordingly,

- 16 1. Plaintiff's motion, ECF No. 103, is granted in part and denied in part, as stated herein.
 - 17 2. Defendants' ex parte application, ECF No. 108, is granted.
 - 18 3. The discovery and scheduling order, ECF No. 99, is further modified as follows:
 - 19 a. Fact Discovery Cut-off: 9/15/20
 - 20 b. Initial Expert Disclosures: 9/30/20
 - 21 c. Rebuttal Expert Disclosures: 10/30/20
 - 22 d. Expert Discovery Cut-off: 11/30/20
 - 23 e. Dispositive Motion Deadline: 12/31/20
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IT IS SO ORDERED.

Dated: June 24, 2020


UNITED STATES MAGISTRATE JUDGE

No. 204.