Case 1:16-cv-00150-DAD-BAM Document 83 Filed 08/06/21 Page 1 of 2 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 GARY RAY BETTENCOURT, Case No. 1:16-cv-00150-DAD-BAM (PC) 12 ORDER DENYING PLAINTIFF'S MOTION Plaintiff. FOR TRANSCRIPT OF MEET AND 13 v. CONFER 14 PARKER, et al., (ECF No. 82) 15 Defendants. 16 17 Plaintiff Gary Ray Bettencourt ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on 18 19 Plaintiff's claims of deliberate indifference in violation of the Eighth Amendment against 20 Defendant Crooks for pulling two teeth that did not need to be pulled, and against Defendants 21 Parker and Guzman for filing down six healthy teeth with a dental tool used for drilling cavities. 22 On June 4, 2021, Defendants filed an amended motion to compel Plaintiff to respond to Defendants' request for admissions and responses to request for production of documents. (ECF 23 24 No. 74.) The Court directed the parties to meet and confer regarding the discovery dispute and to file a joint statement following the parties' conference. (ECF No. 76.) The Court further stayed 25 26 briefing on Defendants' motion to compel. (*Id.*) 27 On June 29, 2021, the parties filed a joint statement memorializing their June 21, 2021 28 telephonic conference, indicating that while Plaintiff had attempted to mail amended responses, 1

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Defendants had not yet received any amended responses. (ECF No. 79.) The Court ordered that the motion to compel be maintained on the docket and Defendants should file a further status report within thirty days. (ECF No. 80.) On July 26, 2021, Defendants filed a withdrawal of their motion to compel, indicating that Plaintiff had complied and provided amended discovery responses. (ECF No. 81.)

Currently before the Court is Plaintiff's motion for a copy of the transcript of the parties' meet and confer that occurred on June 21, 2021, filed July 30, 2021. (ECF No. 82.) Plaintiff states that he requested a copy of the transcript from defense counsel the day of their meet and confer and by another letter sent by legal mail on July 26, 2021. Plaintiff believes that the court reporter has now typed a copy for his request, and requests that the Court send him a copy as well as the exact cost of the transcript and information as to where payment is to be sent. (*Id.*)

Plaintiff's request is denied. As far as the Court is aware, no transcript exists for the parties' June 21, 2021 telephonic meet and confer, and the Court is not in possession of any recording of that conference from which a transcript can be created.

Accordingly, Plaintiff's motion for transcript of the parties' meet and confer, (ECF No. 82), is HEREBY DENIED.

IT IS SO ORDERED.

Dated: **August 6, 2021**

LINITED STATES MAGISTRATE HIDGE

¹ While the motion states that the meet and confer occurred on July 21, 2021, it appears that Plaintiff is referring to the meet and confer that occurred on June 21, 2021. However, even if a second meet and confer was held on July 21, 2021, it would not change the outcome of this order.