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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

JAVIER ARIAS,

Plaintiff,

v.

RUAN TRANSPORT CORPORATION,

Defendant.

Case No. 1:16-cv-00280-SAB

ORDER DISREGARDING JOINT  
STATEMENT OF DISCOVERY  
DISAGREEMENT

(ECF No. 52)

On April 19, 2017, the parties filed a joint statement of discovery disagreement in which Defendant seeks to compel Plaintiff to be produced for a second day of deposition testimony, wherein Plaintiff complies with his notice of deposition and produces the categories of information and documents described in his notice of deposition. (ECF No. 52.)

As the parties have previously been informed, there are two manners in which to have discovery disputes resolved. The first is by a noticed motion as described in Local Rule 251. Secondly, the parties may agree to participate in the informal discovery dispute process which can be found at the United States District Court for the Eastern District of California’s website (<http://www.caed.uscourts.gov>) under Judges; United States Magistrate Judge Stanley A. Boone (SAB). In the area entitled “Case Management Procedures,” there is a link to “Discovery Dispute Procedures.”

For a motion to compel, the Local Rules provide that a party may file and serve a notice

1 of motion and motion scheduling the hearing date on the appropriate calendar at least twenty-one  
2 days from the date the notice and motion are filed and served. L.R. 251(a). To comply with  
3 Local Rule 251, the parties are required to file a joint statement of the discovery dispute or an  
4 affidavit pursuant to Rule 251(d) at least seven days prior to the hearing date. L.R. 251(a). “If  
5 the notice of motion and motion are filed concurrently with the [j]oint [s]tatement, the motion  
6 shall be placed on the next regularly scheduled calendar for the Magistrate Judge or Judge  
7 hearing the motion at least seven (7) days thereafter.” L.R. 251(a).

8 Here, the parties have filed a joint statement re discovery disagreement. However,  
9 Defendant did not file a notice of motion and motion. Therefore, the parties have not complied  
10 with Local Rule 251. To the extent that the parties are seeking an informal telephonic  
11 conference regarding this discovery dispute, they have not complied with the requirements for an  
12 informal telephonic conference regarding discovery disputes.

13 Accordingly, it is HEREBY ORDERED that the parties’ joint statement of discovery  
14 disagreement (ECF No. 52) is DISREGARDED unless and until the parties comply with the  
15 requirements of either Local Rule 251 or the Court’s informal discovery process.

16  
17 IT IS SO ORDERED.

18 Dated: April 20, 2017

  
UNITED STATES MAGISTRATE JUDGE