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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Brandy Brewer,

Plaintiff,

v.

Leprino Foods Company, Inc.,

Defendant.

No. CV-1:16-1091-SMM

ORDER

Pending before the Court is a matter that was deferred until the time of trial. Specifically, Defendant's request for an adverse inference jury instruction for Plaintiff's discovery violations. (Docs. 41; 74.) Defendant did not request an adverse inference jury instruction at any time during the trial or at the time of settling the final jury instructions. As such, any motions related to this issue are denied as moot.

Accordingly,

IT IS HEREBY ORDERED denying as moot any motions related to the issue of an adverse inference jury instruction for Plaintiff's discovery violations. (Docs. 41; 74.)

Dated this 15th day of April, 2019.

Honorable Stephen M. McNamee
Senior United States District Judge