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

Brandy Brewer,)	No. CV-1:16-1091-SMM
Plaintiff,)	
v.)	ORDER
Leprino Foods Company, Inc.,)	
Defendant.)	

Pending before the Court is Plaintiff Brandy Brewer’s Ex Parte Application to Extend the Non-Expert Discovery Cut-Off Date. (Doc. 20.) Plaintiff seeks to extend the time of the non-expert discovery cutoff date for forty five (45) days, from Friday, April 14, 2017 to Monday, May 29, 2017. In support, Plaintiff states, as follows:

- 1) Defendant’s counsel indicated they would not accept service of the subpoenas, Defendant refused to accept service of the subpoenas on five individual witnesses when Plaintiff attempted service at the Defendant’s company, and Plaintiff has been unable to locate, serve, and complete their depositions before the non-expert discovery cutoff date; 2) Plaintiff has requested for Mr. Don Doyle’s availability on at least four different occasions and has yet to receive a date from Defendant’s counsel and will not be able to complete his deposition before the non-expert discovery cutoff date; 3) Ms. Erin McDaniels testified at her deposition that there was a document that she relied upon in making the decision to terminate Plaintiff that has not been produced even though Plaintiff requested for all documents relating to the reasons for Plaintiff’s termination and all documents reviewed or considered in Defendant’s decision to terminate Plaintiff; and 4) Defendant has not indicated if they will produce Mr. Kes Anderson for his deposition on April 14, 2017.

(Id. at 1-2.)

Pursuant to L.R. 144 and 230, Defendant shall respond to Plaintiff’s Ex Parte

1 Application to Extend the Non-Expert Discovery Cut-Off Date.

2 Accordingly,

3 **IT IS HEREBY ORDERED** that Defendant shall respond to Plaintiff's Ex Parte
4 Application to Extend the Non-Expert Discovery Cut-Off Date by **Friday, April 21, 2017**.

5 There will be no reply.

6 **IT IS FURTHER ORDERED** staying the effective date of the Non-Expert
7 Discovery deadline until the Court resolves Plaintiff's motion. The Court's Order resolving
8 Plaintiff's motion will set a new deadline for Non-Expert Discovery.

9 **IT IS FURTHER ORDERED**, however, that any request for a second extension of
10 the Non-Expert Discovery deadline will require a telephonic hearing before such an
11 extension would be granted.

12 DATED this 10th day of April, 2017.

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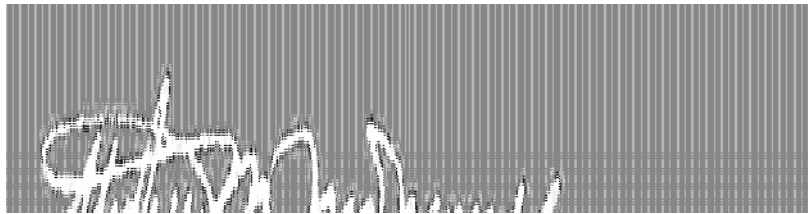
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