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

VERTICAL TANK, INC.,
Plaintiff,
v.
BAKERCORP,
Defendant.

Case No.: 1:18-cv-00145 LJO LJT
ORDER AFTER STATUS REPORT
(Doc. 48)

The Court has reviewed the status report filed by counsel. (Doc. 48) The Court declines to set a further conference at this time. Notably, as to the issue of whether the case schedule needs to be amended, once again, this discussion is premature until plaintiff’s counsel has had enough time to review the production and determine the further discovery effort that will be needed. Until this is done, there is no way to determine how much additional discovery time is needed. In addition, what “Progress Billings¹” are as opposed to what “Rental Returns” are, seems like a question that would be most quickly addressed by inquiry of defense counsel. Thus, the Court **ORDERS**:

1. **No later than July 19, 2019**, the defense **SHALL** produce the results of the search of the electronically held documents using the agreed upon search terms as described in paragraph

¹ The Court suspects that “Progress Billings” are those billings where there is a long-term rental such that a “Rental Return” will not be generated for a significant period. In the Court’s limited experience, it is quite common for industrial equipment, like pumps, tanks and pipe, to be leased for years.

1 2 of the joint status report;

2 2. If not completed already, the production of the “invoices” related to the accused
3 tanks, as described in paragraph 5 of the joint status report, **SHALL** be completed **no later than**
4 **July 12, 2019;**

5 3. **No later than July 26, 2019,** counsel **SHALL** file a joint report detailing the status
6 of these activities and, if they have not occurred, why they have not. The report **SHALL** also include
7 from each side’s perspective, the extent to which the dispute continues to exist, the issues yet to
8 resolve and whether a further telephonic conference is needed. If either party desires a further
9 conference, counsel **SHALL** set forth the topics for discussion, the results of meet and confer efforts
10 and propose dates that they are jointly available.

11
12 IT IS SO ORDERED.

13 Dated: July 3, 2019

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE