



1 joint statement, the parties determined the following: (1) Defendant will produce copies of  
2 Plaintiff's medical records; (2) Plaintiff will withdraw the pending motion to compel, (ECF No.  
3 70); and (3) Plaintiff will be filing an opposed motion to conduct discovery now that his counsel  
4 has entered an appearance. (*Id.*) On November 15, 2024, Plaintiff filed a motion to modify the  
5 discovery and scheduling order. (ECF No. 76.) As of the date of this order, no further filings  
6 have been received from either party.

7 Pursuant to the joint statement filed by the parties, the Court finds it appropriate to direct  
8 Plaintiff to file a notice of withdrawal of the pending motion to compel and to direct Defendant to  
9 file an opposition (or a statement of non-opposition) to Plaintiff's motion to modify the discovery  
10 and scheduling order.

11 The parties are further advised that although Plaintiff is now proceeding through counsel,  
12 briefing on future motions shall continue to follow the deadlines and procedures set forth in Local  
13 Rule 230(1), as is the Court's usual practice.

14 Accordingly, it is HEREBY ORDERED as follows:

- 15 1. Within **seven (7) days** from the date of service of this order, Plaintiff SHALL FILE a  
16 notice of withdrawal of the pending motion to compel, (ECF No. 70);
- 17 2. Within **fourteen (14) days** from the date of service of this order, Defendant SHALL FILE  
18 an opposition (or a statement of non-opposition) to Plaintiff's motion to modify the  
19 discovery and scheduling order, (ECF No. 76); and
- 20 3. Plaintiff's reply brief, if any, in support of the motion to modify the discovery and  
21 scheduling order, shall be due within **fourteen (14) days** from the date of filing of  
22 Defendant's response.

23  
24 IT IS SO ORDERED.

25 Dated: January 6, 2025

26 /s/ Barbara A. McAuliffe  
27 UNITED STATES MAGISTRATE JUDGE  
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