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

GREGORY JOHNSON, et al.,

Plaintiffs,

No. CIV S-05-2046 RRB GGH

vs.

CLAIR COUTURIER, JR., et al.,

Defendants.

ORDER

Presently before the court are plaintiffs' motion for an order extending time limits for certain depositions and for an order requiring completion of the Johanson deposition in the presence of the magistrate judge, filed July 6, 2009, and defendant Couturier's motion to strike that motion, filed July 10, 2009. This order concerns Couturier's motion to strike plaintiff's motion for failure to observe local rule requirements regarding discovery disputes.

Defendant is informed that a meet and confer is not required to take place prior to the filing of the motion. It need only occur prior to the filing of the joint statement ("stipulation"). E. D. Local Rule 37-251(b) (motion shall not be *heard* unless parties have conferred and differences must be set forth in a joint statement). Although plaintiffs' filing of their points and authorities along with a notice of discovery motion is a somewhat idle act except in a "sanctions only" or "failure to respond" discovery motion ("No other documents *need be*

