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

10 ERIC WM. WARNER,

11 Plaintiff,

No. CIV S-07-1865 JAM GGH P

12 vs.

13 KATHY PROSPER, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff has filed documents entitled "first request for production of documents
17 and first interrogatories." Plaintiff is informed that court permission is not necessary for
18 discovery requests and that neither discovery requests served on an opposing party nor that
19 party's responses should be filed until such time as a party becomes dissatisfied with a response
20 and seeks relief from the court pursuant to the Federal Rules of Civil Procedure. Discovery
21 requests between the parties shall not be filed with the court unless, and until, they are at issue.

22 Accordingly, IT IS HEREBY ORDERED that plaintiff's December 29, 2008 first
23 request for production of documents and first interrogatories (Docket Nos 36 and 37) will be
24 placed in the court file and disregarded. Plaintiff is cautioned that further filing of discovery

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1 requests or responses, except as required by rule of court, may result in an order of sanctions,
2 including, but not limited to, a recommendation that this action be dismissed.

3 DATED: January 8, 2009

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5 /s/ Gregory G. Hollows

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GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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