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

ARC ECOLOGY, et al.,

Plaintiffs,

No. CIV S-07-2320 GEB GGH

vs.

UNITED STATES  
MARITIME ADMINISTRATION, et al.,

ORDER

Defendants.

\_\_\_\_\_ /

Plaintiff-Intervenor has filed a motion for protective order, noticing it for hearing on September 17, 2009. Plaintiff-Intervenor explains that although the discovery cutoff is July 31, 2009 for non-environmental plaintiffs, defendant did not serve its notice of deposition until July 17, 2009, noticing it for July 31, 2009. Plaintiff-Intervenor contends that based on the notice requirements of the local rules, it was unable to schedule a hearing prior to the discovery deadline.

This court is not authorized to deviate from Judge Burrell’s scheduling order. Therefore, this motion will have to be vacated from the calendar. However, this court does not, by vacating the motion, render an opinion as to what the district court might do at pretrial when it comes to the court’s attention that plaintiff-intervenor did not produce its Rule 30(b)(6) witness

1 for deposition.

2                   Accordingly, IT IS ORDERED that Plaintiff-Intervenor’s motion for protective  
3 order, filed July 29, 2009, (dkt. # 66), is vacated from the calendar for September 17, 2009.

4 Dated: 08/03/09

/s/ Gregory G. Hollows  
United States Magistrate Judge

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