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

DAVID DECRISTOFORO, JR.,

Plaintiff,

No. CIV S-08-0933 JAM EFB

vs.

REXON INDUSTRIAL CORP., et al.,

ORDER

Defendants.

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On June 30, 2009, plaintiff filed a motion to compel discovery, and set the matter for hearing on August 5, 2009. Dckt. No. 32. However, the discovery deadline in this case was July 1, 2009. *See* Stipulated Amended Status Order, approved and filed March 19, 2009, Dckt. No. 23. As set forth in the original scheduling order, the discovery deadline is the date on which all discovery is to be “completed,” which “means that all discovery shall have been conducted so that all depositions have been taken and any disputes relative to discovery shall have been resolved by appropriate order if necessary and, where discovery has been ordered, the order has been complied with.” *See* Status (Pretrial Scheduling) Order, filed October 16, 2008, Dckt. No. 13.

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This court has no authority to consider a discovery motion after the close of discovery. While plaintiff may file a motion to modify the scheduling order, the motion must be heard and decided by the district judge.

Accordingly, plaintiffs' Motion to Compel Discovery, Dckt. No. 32, is hereby denied.

SO ORDERED.

DATED: July 13, 2009.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE