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

HERBERT C. VICE,

Plaintiff,

No. 2:08-cv-0940 LKK JFM (PC)

vs.

JAMES WALKER,

Defendant.

ORDER

_____/

Plaintiff has filed a document entitled “Request to Submit Trial Documents.” Therein, plaintiff represents that on October 22, 2010, the day after his deposition was taken, he receiving a notice from the Attorney General’s Office “advising” plaintiff that he was to produce “the items” that he intends to offer at trial. Request, filed December 16, 2010, at 1. Plaintiff states that he “therefore” requests “to submit” those “items/documents. Id.”

To the extent that defendant has requested production of documents from plaintiff, plaintiff is informed that court permission is not necessary for discovery requests and that neither discovery requests nor responses should be filed until such time as a party becomes dissatisfied with a response and seeks relief from the court pursuant to the Federal Rules of Civil Procedure, or until the documents that are the subject of the request are placed in issue by a dispositive motion or by trial of this matter. Plaintiff is further advised that a schedule will be set

1 at a subsequent stage of these proceedings, as appropriate, for the exchange of trial exhibits and
2 the tendering of the same to the court.

3 Accordingly, IT IS HEREBY ORDERED that plaintiff's December 16, 2010
4 "Request to Submit Trial Documents" will be placed in the court file and disregarded.

5 DATED: January 3, 2011.

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8 UNITED STATES MAGISTRATE JUDGE

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10 vice0940.411

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