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

NICOLE ALFANO, et al.,

Plaintiffs,

No. CIV S-08-1704 JAM DAD

v.

BRP INC., et al.,

Defendants.

ORDER

_____ /

On June 18, 2010, the parties filed a document titled “Joint Statement Re Discovery Disagreement,” indicating a hearing date of June 25, 2010. The parties state that they “have agreed to forego the filing of a Motion to Compel in advance of filing the Joint Statement of Discovery Disagreement.”

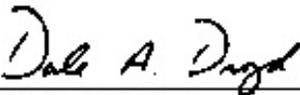
However, the parties’ joint statement was not accompanied by the notice of motion and motion that must be filed concurrently with a joint statement in order to obtain a hearing in seven days. See Local Rule 251(a). Neither party indicates what relief it is moving for. The parties appear to seek advisory opinions from the court on the four discovery issues they have identified rather than rulings on any parties’ motion or motions. Moreover, the most recent modification of the pre-trial scheduling order provides that non-expert discovery in this action must be completed by June 30, 2010, and the expert discovery cutoff is also set for June 30,

1 2010. Therefore, it appears that any relief sought by either party may be untimely since any
2 discovery ordered by the court could not be completed by the current cut-off dates.

3 Despite these potentially fatal deficiencies, the court will leave the matter on
4 calendar for Friday, June 25, 2010, at 10:00 a.m. The parties should be prepared to discuss the
5 court's concerns and are forewarned that the court may, after hearing from them, elect to drop the
6 matter from calendar for the reasons set forth above.

7 In addition, IT IS ORDERED that by June 24, 2010, the parties comply with
8 Local Rule 251(a) by filing the required notice of motion(s) and motion(s) indicating the relief
9 that each party seeks in connection with the "four issues" identified in their Joint Statement. Any
10 failure to do so will result in the matter being dropped from calendar.

11 DATED: June 22, 2010.

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15 DALE A. DROZD
16 UNITED STATES MAGISTRATE JUDGE

16 DAD:kw
17 Ddad1/orders.civil/alfano1704.jtstmt.nomo