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

LISA ROBINSON, et al.,

Plaintiffs,

v.

CIV. S-10-3187- MCE GGH

KIA MOTORS AMERICA, INC.,

Defendant.

ORDER

_____ /

Presently before the court is plaintiffs' *ex parte* motion to quash defendant's subpoena for third-party Robinson Construction's telephone records from Pacific Bell and for a protective order and/or modification of defendant's subpoena for plaintiff Lisa Robinson's telephone records from Nextel Communications, filed September 1, 2011. That same date, plaintiffs also filed an *ex parte* application for an order shortening time to have its motion heard on September 8, 2011 or on the next available hearing date. Defendant Kia Motors filed an opposition to plaintiff's *ex parte* application.

Because the subpoenas call for production by the third-party telephone carriers on September 6, 2011 and in the interests of prompt resolution of this discovery dispute, the court will set an expedited schedule for briefing and hearing on this motion.

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Accordingly, IT IS ORDERED that:

1. Plaintiffs' *ex parte* application for an order shortening time, filed September 1, 2011, (dkt. # 37), is granted.
2. Plaintiffs' motion to quash and for protective order and/or modification of subpoena, filed September 1, 2011, (dkt. # 34), is specially set so as to be heard on September 15, 2011 at 10:00 a.m in Courtroom No. 9 (13th Floor). The undersigned has determined not to utilize the Local Rule 251 procedure for this motion.
3. Any response to the motion shall be filed by September 8, 2011.
4. Plaintiffs shall file any reply by September 12, 2011.
5. Plaintiffs shall serve a copy of this order on the subpoenaed third parties.

DATED: September 6, 2011

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH/wvr
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