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1 2 3 4 5 6 7 8 IN THE UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 RAKESH JOSHI, et al., No. CIV S-11-0083-LKK-CMK 12 Plaintiffs, 13 **ORDER** VS. ROCKY BLUFFS PROPERTY 14 OWNERS' ASSOCIATION, 15 Defendant. 16 17 18 Plaintiffs, who are proceeding with retained counsel, bring this civil action. 19 Pending before the court is plaintiffs' ex parte application for an order quashing deposition subpoenas commanding the attendance of non-party witnesses Stephen Peterson and Debra D. 20 21 Peterson at their depositions on May 11, 2012. 22 Under Federal Rule of Civil Procedure 45(c)(3)(A)(i), the court may quash a 23 subpoena where it "... fails to allow a reasonable time to comply." The court finds that such is not the case here. The distinction between the current motion and defendant's earlier motion to 24

defendant's opposition to the instant motion. The depositions of the Petersons shall go forward

quash a deposition subpoena for Dave Warner, which the court granted, is set forth in

as noticed.

It appears that the approaching May 16, 2012, discovery cut-off date may have motivated the current discovery dispute. In order to avoid future disputes arising from this cut-off date, the court sua sponte extends the time to conduct discovery consistent with the court's May 23, 2011, scheduling order by two weeks to June 1, 2012.

Accordingly, IT IS HEREBY ORDERED that:

- 1. Plaintiffs' motion to quash (Doc. 56) is denied; and
- 2. The discovery cut-off is extended and discovery shall be completed, as that term is defined in the court's May 23, 2011, scheduling order, by June 1, 2012.

DATED: May 10, 2012

CRAIG M. KELLISON

UNITED STATES MAGISTRATE JUDGE