

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

VICTOR RODAS,

Plaintiff,

No. CIV S-11-0209 JAM DAD

v.

CREDITORS SPECIALTY SERVICE,
INC., and CHARLES STANLEY,

ORDER

Defendants.

_____ /

Plaintiff has filed an amended motion to compel discovery responses and depositions, noticing that motion for hearing before the undersigned on July 6, 2012. (Doc. No. 32.) However, under the Status (Pre-trial Scheduling) Order in this case, issued on June 10, 2011 by the assigned District Judge, all discovery was to be completed by April 2, 2012. (Doc. No. 12.) On March 28, 2012, the assigned District Judge issued an order amending the June 10, 2011 Status (Pre-trial Scheduling) Order pursuant to the parties stipulation, and resetting the deadline for the completion of discovery for June 22, 2012. (Doc. No. 29.) Pursuant to the Status (Pre-trial Scheduling) Order issued by the assigned District Judge, "completed" means that

all discovery shall have been conducted so that all depositions have been taken and any disputes relative to discovery shall have been

////

1 resolved by appropriate order if necessary and, where discovery has
2 been ordered, the order has been complied with.

3 (Doc. No. 12 at 3.) Id. There have been no further modifications made to the scheduling order
4 nor has the assigned District Judge extended that date for the completion of discovery past the
5 June 22, 2012 date. Therefore, plaintiff is advised that the date by which all discovery was to be
6 completed in this civil action has passed, his discovery motion is untimely and the relief he
7 requests cannot be granted.

8 Accordingly, IT IS HEREBY ORDERED that plaintiff's June 4, 2012 amended
9 motion to compel (Doc. No. 32) is denied as untimely, and the motion is dropped from the
10 court's July 6, 2012 law and motion calendar.

11 DATED: June 26, 2012.

12
13 
14 _____
15 DALE A. DROZD
16 UNITED STATES MAGISTRATE JUDGE

17 DAD:6
18 Ddad1\orders.civil\rodas0209.ord.mtcden
19
20
21
22
23
24
25
26