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

MARINA RADCHUCK et al.

Plaintiffs,

No. CIV S-11-486 JAM CKD

vs.

CITY OF CITRUS HEIGHTS, et al.,

ORDER

Defendants.

_____ /

On December 30, 2011, defendants filed a motion to compel noticed for hearing on February 1, 2012 at 10:00 a.m. (Dkt. No. 13.) Defendants also submitted a declaration indicating that plaintiffs have failed to meet and confer in an attempt to resolve the parties' discovery dispute informally. (Id.)

The parties are advised that a discovery motion will generally not be heard unless (1) the parties have conferred or attempted to resolve their differences and (2) the parties have set forth their differences and the bases therefor in a joint statement regarding the discovery disagreement. E.D. Cal. L.R. 251(b). In light of the February 1, 2012 hearing date, sufficient time remains to meet and confer pursuant E.D. Cal. L.R. 251(b) and submit a joint statement that complies with E.D. Cal. L.R. 251(c). Accordingly, the parties will be ordered to meet and confer

1 and file a joint statement by January 18, 2012. If either party is unable to secure the opposing
2 party's cooperation in conferring and preparing the joint statement, the requirements of E.D. Cal.
3 L.R. 251(d) may be followed. However, the parties are cautioned that the refusal of any counsel
4 to participate in a discovery conference, or refusal without good cause to execute the required
5 joint statement, shall be grounds for entry of an order adverse to the party represented by counsel
6 so refusing or adverse to counsel, or any other appropriate sanctions. See E.D. Cal. L.R. 251(d).

7 Defendants' counsel has also filed a motion to appear telephonically for the
8 hearing on the motion to compel. (Dkt. No. 13-4.) The court will take the motion under
9 submission until it has had an opportunity to review the parties' joint statement.

10 Accordingly, IT IS HEREBY ORDERED that:

11 1. The parties shall meet and confer pursuant E.D. Cal. L.R. 251(b) and file a
12 joint statement that complies with E.D. Cal. L.R. 251(c) no later than January 18, 2012.

13 2. Defendants' motion to appear telephonically is taken under submission.

14 Dated: January 3, 2012

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16 CAROLYN K. DELANEY
17 UNITED STATES MAGISTRATE JUDGE

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