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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MORGAN HILL CONCERNED
PARENTS ASSOCIATION, et al.,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
EDUCATION, et al.,

Defendants.

No. 2:11-cv-3471 KJM AC

ORDER

The undersigned held a discovery conference on November 4, 2016, at which counsel for all parties participated. The current production of emails from the priority custodian accounts, and using CDE’s seven search terms, were among the matters discussed. Plaintiffs advised the court that they anticipated bringing a motion, separate from their pending Motion To Compel, to address CDE’s privilege assertions regarding this production. The undersigned explained that motions on related matters should be brought together rather than piecemeal. At a minimum, such motions should be heard on the same day. Thus, plaintiff’s currently pending motion to compel (ECF No. 265), relating to the format of the referenced emails, should, if possible, be included with plaintiff’s anticipated motion to address privileges asserted against production of the same referenced production. In any event, those motions should be noticed for hearing on the same day.

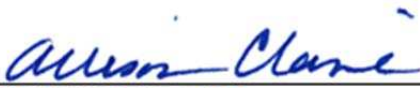
1 The parties agreed that the stay on the production that was otherwise due on November 4,
2 2016 (see ECF No. 266) should continue until resolution of plaintiff's current (or renewed)
3 Motion To Compel.

4 In addition, it appears that the Joint Statement format of E.D. Cal. R. ("Local Rule") 251
5 will not be appropriate for the pending and anticipated motions. Accordingly, the provisions of
6 Local Rule 230 will apply to the pending and potential discovery motions addressed at the
7 discovery conference.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. Plaintiffs' Motion To Compel (ECF No. 265), is VACATED without prejudice to renewal
10 pursuant to Local Rule 230. Plaintiffs shall not renew the motion until they have met and
11 conferred with defendants regarding the privilege log issues discussed at the discovery
12 conference, and plaintiffs determine whether or not to bring a motion to compel
13 production of discovery withheld pursuant to claims(s) of privilege.
- 14 2. All motions relating to a particular production or set of productions shall be brought
15 together in a single motion if possible, shall comply with Local Rule 230 (without regard
16 to Local Rule 251), and shall be noticed for the same hearing date.
- 17 3. The production stay imposed by ECF No. 266 is CONFIRMED, and will continue until
18 ordered otherwise.

19 DATED: November 4, 2016

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21 ALLISON CLAIRE
22 UNITED STATES MAGISTRATE JUDGE
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