

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
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

YOLANDA YVETTE BELL,

Plaintiff,

v.

UNITED STATES DEP'T OF INTERIOR,
KENNETH SALAZAR, Secretary,

Defendants.

No. 2:12-cv-01414 TLN JFM (PS)
ORDER

The following motions are presently calendared for hearing on August 7, 2013: plaintiff's motion to quash, second motion to quash, and amended motion to quash (ECF Nos. 86, 87 and 101), plaintiff's motion for protective order and amended motion for protective order (ECF Nos. 96 and 100), defendants' motion to compel independent medical examination (ECF No. 102) and defendants' motion for protective order (ECF No. 103).

The court notes that the parties' most recent motions, ECF Nos. 100-103, do not comply with the Local Rules that require scheduling a hearing at least twenty-one days from the date of filing, or fourteen days from the date of filing when applicable. L.R. 251. Nevertheless, the court is mindful that judicial efficiency is best served by hearing the parties' motions concurrently, and will therefore not vacate the August 7, 2013, hearing. The parties will be ordered to submit oppositions or non-oppositions to these motions no later than August 5, 2013.

////

1 Additionally, given plaintiff's recent request to seal documents, the court notes that
2 plaintiff failed to comply with Local Rule 140 and properly redact¹ the following exhibits in her
3 most recent motions: ECF No. 96-8 at 1, 6-8, 12-13; ECF No. 96-13 at 1, 5-6; ECF No. 100-9 at
4 5, 11, 15-16, 18, 22-23, 25, 29-30, 32, 36-37, 39, 43-44; ECF No. 100-12 at 1, 5-6; ECF No. 100-
5 17 at 3-5, 9; ECF No. 100-18 at 3-5, 9; ECF No. 101-5 at 5, 11, 15-16, 18, 22-23, 25, 29-30, 32,
6 36-37, 39, 44. The court will not sua sponte seal these documents.² However, plaintiff will be
7 permitted to file a request to re-file partially redacted versions of these exhibits in accordance
8 with the Local Rules.
9

10 Both parties are cautioned that future failure to abide by the court's Local Rules and the
11 Federal Rules of Civil Procedure "may be grounds for imposition by the Court of any and all
12 sanctions authorized by statute or Rule or within the inherent power of the Court." L.R. 110,
13 183(a).
14

15 Accordingly, IT IS HEREBY ORDERED that:

- 16 1. Defendants' oppositions, or non-oppositions, to plaintiff's amended motion for
17 protective order (ECF No. 100) and amended motion to quash (ECF No. 101) are due
18 **no later than August 5, 2013**. Plaintiff shall be permitted to reply during oral
19 argument on August 7, 2013; and
- 20 2. Plaintiff's oppositions, or non-oppositions, to defendants' motion to compel
21 independent medical examination (ECF No. 102) and motion for protective order
22

23
24 ¹ The court notes that plaintiff attempted to redact some of these exhibits. However, the
25 redactions are not permanent and will reveal plaintiff's personal data identifiers if a party were to
delete the redactions using the Adobe Acrobat's delete function.

26 ² *See* L.R. 140(e) ("Neither the Clerk nor the Court will review filed documents for compliance
27 with privacy or other protective law, nor will the Court as a matter of course seal on its own
28 motion documents containing personal data identifiers, or redact documents, whether filed
electronically or on paper. No procedure set forth herein will excuse a violation of privacy or
other law by counsel or party.").

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
27
28

(ECF No. 103) are due **no later than August 5, 2013**. Defendants shall be permitted to reply during oral argument on August 7, 2013.

DATED: August 2, 2013.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE