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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LENNAR MARE ISLAND, LLC,  
Plaintiff,  
v.  
STEADFAST INSURANCE COMPANY,  
et al.,  
Defendants.

No. 2:12-cv-2182-KJM-KJN

ORDER

On September 11, 2013, defendant Steadfast Insurance Company (“Steadfast”) filed a “Motion For Relief From Presumptive Discovery Limits For Depositions,” along with a supporting attorney declaration and memorandum of points and authorities.<sup>1</sup> (ECF Nos. 43-45.) On September 19, 2013, the undersigned approved the parties’ stipulation continuing the hearing date for Steadfast’s pending motion and resetting the matter to be heard on the stipulated date of November 21, 2013. (ECF No. 50.)

Steadfast’s pending motion indicates that the parties have thus far been unable to stipulate to conducting depositions beyond the presumptive discovery limit of ten depositions per party and seven hours per deposition. Accordingly, Eastern District Local Rule 251(b)-(c) requires that the

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<sup>1</sup> This matter proceeds before the undersigned pursuant to Eastern District of California Local Rule 302(c)(1).

1 parties to this discovery dispute meet and confer to attempt to resolve it, and if no resolution  
2 occurs, the parties are to work together to prepare a Joint Statement Re Discovery Disagreement.  
3 E.D. Cal. L.R. 251(b)-(c). The Joint Statement Re Discovery Disagreement must be filed on or  
4 before November 14, 2013.

5 The hearing date of November 21, 2013, is still several weeks away. The parties have  
6 ample time to continue to meet and confer about their dispute and to work together to craft the  
7 requisite Joint Statement.

8 Given the Joint Statement requirement, the undersigned will not consider Steadfast's  
9 memorandum of points and authorities and attorney declaration filed on September 11, 2013  
10 (ECF Nos. 43-45); Steadfast shall include its legal arguments and any supporting declarations as  
11 part of the Joint Statement to be filed pursuant to this order and Local Rule 251(c). Likewise, the  
12 other parties to this case shall include their opposing legal arguments and supporting declarations  
13 as part of that same Joint Statement.

14 Accordingly, IT IS HEREBY ORDERED THAT:

- 15 1. The parties are to continue to meet and confer in good faith in efforts to resolve the  
16 pending discovery disagreement.
- 17 2. The parties are to file, no later than **November 14, 2013**, either:
  - 18 a. A Joint Statement re Discovery Disagreement consistent with the requirements  
19 of Local Rule 251(c), or
  - 20 b. A statement listing the parties' good faith efforts to meet and confer (including  
21 efforts to meet and confer specifically regarding preparing the Joint  
22 Statement), the dates and times of such efforts, and the reasons why such good  
23 faith efforts were unsuccessful. E.D. Cal. L.R. 251(d).
- 24 3. The hearing presently set for November 21, 2013, will remain on calendar. However,  
25 a failure to comply with this order and/or the court's local rules may result in the  
26 hearing being dropped from calendar, or an entry of an order adverse to the party  
27 failing to comply. E.D. Cal. L.R. 251(d).

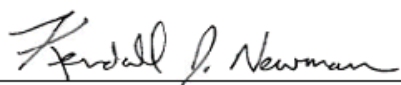
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4. Given the Joint Statement requirement, the undersigned will not consider Steadfast's memorandum of points and authorities and attorney declaration filed with the notice of motion on September 11, 2013; Steadfast shall include its legal arguments and any supporting declarations as part of the Joint Statement to be filed pursuant to this order and Local Rule 251(c).

IT IS SO ORDERED.

Dated: October 31, 2013

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE