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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
L. RICHARD SHEARER, et al.,
Defendants.

No. 2:12-cv-2334 DAD DB

ORDER

On November 14, 2022, defendant Stanley Swenson as trustee, filed a motion to compel responses to defendant’s requests for production and interrogatories and noticed the motion for hearing before the undersigned on February 3, 2022, pursuant to Local Rule 302(c)(1). (ECF Nos. 133 & 137.)

With one exception, however, discovery in this action closed on February 1, 2016. (ECF No. 64.) In this regard, on November 15, 2022, the assigned District Judge ordered an extension of fact discovery until May 16, 2023, “for the limited purpose of taking the depositions of Lonnie Crockett, Richard Pfeiffer, Ken Cox, Ed Cox, and Leora Swenson.” (ECF No. 135.) Defendant’s motion to compel concerns written discovery not a deposition. Defendant’s motion, therefore, is untimely.

Moreover, review of the defendant’s motion finds that the parties last met and conferred regarding this dispute on June 15, 2022. (ECF No. 133 at 5.) The parties are advised that the

1 undersigned anticipates more recent meet and confer efforts prior to any future discovery hearing.

2 Any party bringing a discovery motion should read the undersigned's Standard Information re
3 discovery disputes found on to the court's web page at

4 [http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-](http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-judge-deborah-barnes-db)
5 [judge-deborah-barnes-db.](http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-judge-deborah-barnes-db)

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. Defendant's November 14, 2022 motion to compel (ECF No. 133) is denied without
8 prejudice to renewal; and

9 2. The February 3, 2023 hearing is vacated.

10 Dated: January 30, 2023

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14 DEBORAH BARNES
15 UNITED STATES MAGISTRATE JUDGE
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