

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

RICHARD STAFFORD,
Plaintiff,
v.
DOLLAR TREE STORES, INC.,
Defendant.

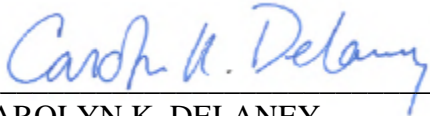
No. 2:13-cv-1187 KJM CKD

ORDER

Defendant has filed an ex parte application for an order to show cause against three non-parties to this action who were subpoenaed for deposition. The affidavit submitted by counsel does not demonstrate good cause for proceeding on the application ex parte. Nor has counsel shown good cause for an order shortening time on a show cause hearing.¹

Accordingly, IT IS HEREBY ORDERED that defendant's ex parte application (ECF No. 109) is denied.

Dated: August 3, 2015


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

4 stafford1187.exp

¹ The court notes that the non-expert discovery cut-off in this action is August 13, 2015. There is nothing in the record before the court that suggests any reason why defendant could not have properly and timely noticed the motion for an order to show cause, with proper service of the motion on the subpoenaed non-parties, on the court's regular law and motion calendar.