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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAVIER SOLIS,

 Plaintiff,

 v.

TARGET CORPORATION, a corporation
and DOES 1-100, inclusive, et al.,

 Defendants.

No. 2:14-cv-0686 KJM DB

ORDER

On October 14, 2016, plaintiff filed a motion to compel further responses to plaintiff’s request for production of documents set six and special interrogatories set three. (ECF No. 97.) On October 28, 2016, plaintiff filed a motion to compel further responses to plaintiff’s request for production of documents sets five and seven. (ECF No. 100.) Both motions are noticed for hearing before the undersigned on November 18, 2016.

On November 1, 2016, plaintiff filed an ex parte application for an order shortening time to hear both of plaintiff’s motions to compel on either November 10 or 14. (ECF No. 101.) Defendant filed an opposition on November 2, 2016, wherein defendant argues, in part, that the parties have not met and conferred over the discovery at issue. (ECF No. 102.) Plaintiff’s application for an order shortening time argues that hearing the motions on shortened time is necessary because November 18, 2016, “is currently scheduled for the last day of discovery” and

1 that November 18, 2016, was “selected because it was the only regularly scheduled date the Court
2 had available before the November 18, 2016 discovery cut off because November 11, 2016 is a
3 Court Holiday.” (ECF No. 101 at 2.) Moreover, plaintiff’s counsel “had previously committed to
4 teach” a seminar on November 18, 2016. (Id.)

5 Local Rule 251(a) provides that a motion to compel further responses must be noticed for
6 hearing “at least twenty-one (21) days from the date of filing and service.” Local Rule 144(e)
7 provides that “[e]x parte applications to shorten will not be granted except upon affidavit of
8 counsel showing a satisfactory explanation for the need for the issuance of such an order”
9 In this regard, under the Local Rules, plaintiff’s October 28, 2016 motion to compel could not
10 have been noticed for hearing prior to November 18, 2016. That November 11, 2016 is a court
11 holiday is irrelevant. Nor is it relevant that plaintiff’s counsel has a prior commitment on that
12 date. Under these circumstances, the undersigned finds that plaintiff’s counsel has not provided a
13 satisfactory explanation for the need to hear plaintiff’s October 28, 2016 motion to compel on
14 shortened time.

15 Moreover, plaintiff commenced this action on March 13, 2014, and plaintiff’s current
16 counsel has had nearly seven months to complete discovery under the April 14, 2016 Status
17 (Pretrial Scheduling) Order, issued by the assigned District Judge. (ECF No. 67.) That the
18 undersigned holds law and motion on Fridays and that the court would be closed on Friday
19 November 11, 2016, in observation of Veterans Day were not unknown to plaintiff’s counsel.
20 And even if the undersigned granted plaintiff’s application for an order shortening time and heard
21 plaintiff’s motion to compel on November 10, 2016, defendant would have only eight days to
22 comply with any order. Under these circumstances, the undersigned finds that plaintiff’s counsel
23 has not provided a satisfactory explanation for the need to hear plaintiff’s October 14, 2016
24 motion to compel on shortened time.

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1 Accordingly, IT IS HEREBY ORDERED that plaintiff's November 1, 2016 application
2 for an order shortening time (ECF No. 101) is denied.¹

3 Dated: November 7, 2016

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6 DEBORAH BARNES
7 UNITED STATES MAGISTRATE JUDGE
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28 ¹ The parties are, of course, free to submit a stipulated request for an extension of the discovery
deadline or to individually submit such a request.