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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JERMAINE PADILLA,
Plaintiff,
v.
JEFFREY BEARD,
Defendant.

No. 2:14-cv-1118 KJM CKD

ORDER

This matter is before the court on plaintiff’s motion to compel the deposition of defendant Beard and to compel production of documents. Upon review of the joint letter brief, and good cause appearing,¹ IT IS HEREBY ORDERED that:

1. Plaintiff’s motion to compel (ECF No. 64) is granted in part. Defendant Beard shall submit to deposition no later than December 1, 2015.

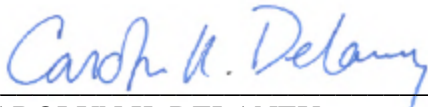
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¹ Given the circumstances of the discovery dispute as it pertains to defendant Beard’s deposition and in light of the court’s October 19, 2015 order which directed defendant Beard to submit to a deposition within the discovery cut-off, the court will order compliance with its prior directive in order to protect the integrity of the judicial process; the court does not regard such an order as a modification of the court’s scheduling order.

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2. In the circumstances presented here, the court finds an award of expenses incurred in connection with the motion to compel production of documents is not warranted.

Dated: November 12, 2015



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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