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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DESHAWN CATHEY,  
Plaintiff,  
v.  
CITY OF VALLEJO, et al.,  
Defendants.

No. 2:14-cv-01749-JAM-AC

ORDER

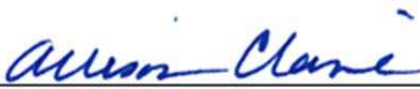
This matter is before the undersigned pursuant to Local Rule 302(c)(21). Currently before the court are the parties' motions to compel, scheduled for hearing on August 26, 2015. ECF Nos. 23, 25, 34.

Plaintiff filed a motion to compel discovery responses from defendants on June 10, 2015. ECF No. 20. Plaintiff then amended that motion on June 26, 2015. ECF No. 23. On July 20, 2015, defendants filed their own motion to compel discovery responses. ECF No. 25. The parties then filed oppositions to each other's motions, with plaintiff filing its opposition on July 22, 2015, ECF No. 32, and defendants filing their opposition one day later, ECF No. 27. On July 29, 2015, the court continued the hearings on both motions to August 26, 2015, and instructed the parties to meet and confer per Local Rule 251(a) and the undersigned's case management procedures, and file a joint statement. ECF No. 34. In light of the court's instruction to file a joint statement it also struck the parties' respective oppositions. Id.

1           On August 6, 2015, Furah Z. Faruqui, counsel for defendants, filed two affidavits relating  
2 to discovery. ECF Nos. 35, 36. In Faruqui's second affidavit, he states that plaintiff met with  
3 him in person on August 6, 2015, but that plaintiff was unprepared for the meeting. ECF No. 36.  
4 Faruqui told plaintiff that to address plaintiff's motion to compel he would produce defendant  
5 Officer Jodi Brown's force complaints for the last five years with redactions, but plaintiff was  
6 unsatisfied. Id. Further, Faruqui states when he told plaintiff he would be out of the country from  
7 August 12 to August 24, 2015, plaintiff "became angry and stormed out of the conference room."  
8 Id. In light of plaintiff's conduct the court agrees that a productive meet and confer on the  
9 pending motions to compel is likely impossible. Accordingly, the court will reinstate the parties'  
10 oppositions and order them to file replies, if any, by two days prior to the hearing pursuant to  
11 Local Rule 251(e).

12           In accordance with the foregoing, THE COURT HEREBY ORDERS that the portion of  
13 its July 29, 2015, order that struck the parties oppositions, ECF No. 34, is hereby VACATED.  
14 The parties' oppositions, ECF Nos. 32, 27, are now reinstated. The parties may file replies to  
15 each other's oppositions at least two days prior to the August 26, 2015, hearing pursuant to Local  
16 Rule 251(e).

17 DATED: August 7, 2015

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20 ALLISON CLAIRE  
21 UNITED STATES MAGISTRATE JUDGE  
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