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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARVIN GILLAM & PAMALA  
GILLAM,  
  
  Plaintiffs,  
  
  v.  
  
CITY OF VALLEJO, et al.,  
  
  Defendants.

No. 2:14-cv-2217-KJM-KJN PS

ORDER

Presently pending before the court is a motion to compel discovery responses, which has been noticed for hearing on January 14, 2016. (ECF No. 27.)

Plaintiffs’ motion fails to comply with the notice and substantive requirements of Local Rule 251, even though plaintiffs have previously been cautioned to comply with the Local Rules<sup>1</sup> and the court’s orders. (See, e.g., ECF No. 23 at 7.) The court notes that plaintiff’s non-attorney “legal assistant,” Frederick Marc Cooley, who, based on the familiar format of the document and its reference to “Expressive Association” undoubtedly prepared the motion for plaintiffs’ signatures, is also well aware of the need to carefully review and comply with the Local Rules,

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<sup>1</sup> A copy of the court’s Local Rules can be obtained from the Clerk of Court or on the court’s website.

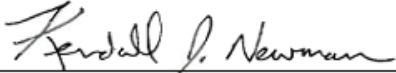
1 given his involvement in several other cases in this district.

2           Therefore, the court denies the motion without prejudice for failure to comply with Local  
3 Rule 251. Additionally, the court cautions plaintiffs that future failure to comply with the court's  
4 orders and the Local Rules may result in the imposition of sanctions. Plaintiffs are again  
5 reminded that, even if Mr. Cooley prepares motions for their signatures, Mr. Cooley is not an  
6 attorney and cannot represent them in federal court. As such, it is *plaintiffs* who will be held  
7 responsible for the contents of the filings, including their compliance with the Local Rules and  
8 court orders.

9           Accordingly, IT IS HEREBY ORDERED that:

- 10           1. Plaintiffs' motion to compel (ECF No. 27) is DENIED WITHOUT PREJUDICE.
- 11           2. The January 14, 2016 hearing is VACATED.

12 Dated: January 4, 2016

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15 KENDALL J. NEWMAN  
16 UNITED STATES MAGISTRATE JUDGE  
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