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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NATHANIEL SMITH,
Plaintiff,
v.
CITY OF STOCKTON; et al.,
Defendants.

No. 2:15-cv-0363 KJM AC

ORDER

This discovery matter has been referred to the undersigned by E.D. Cal. R. (“Local Rule”) 302(c)(1). Defendants have filed a Motion for a Protective Order seeking to prevent plaintiff’s deposition of defendant Chief of Police Eric Jones. ECF No. 57. The motion and “Joint Statement” were filed on March 8, 2017, and noticed for hearing on March 15, 2017, apparently because Local Rule 251(a) permits this shortened time period when the motion is filed with the Joint Statement.

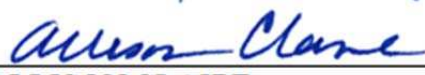
However, the Joint Statement here is one in name only, as it contains no input from plaintiff. Although the parties have met and conferred, defendant asserts that plaintiff refused to cooperate in the filing of the Joint Statement. In order to avoid an unproductive hearing, and to ensure that the court has input from all interested parties, the hearing will be continued and plaintiff will be ordered to cooperate with the filing of a new Joint Statement, or otherwise explain his position.

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Accordingly, IT IS HEREBY ORDERED that:

1. The hearing on defendants' Motion for Protective Order (ECF No. 57) is CONTINUED one week, to March 22, 2017 at 10:00 a.m., before the undersigned.
2. Plaintiff and defendants shall cooperate in filing a new Joint Statement. The new Joint Statement shall be filed no later than March 15, 2017.
3. If no new Joint Statement (with input from all interested parties) is filed on March 15, 2017, counsel for all parties shall file sworn statements no later than March 16, 2017, explaining why no Joint Statement was filed.
4. The parties are cautioned that failure by any party to cooperate in getting a new Joint Statement filed in a timely manner may result in sanctions.

DATED: March 9, 2017



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE