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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

M.F., by and through guardian ad litem,
S.F.,

Plaintiff,

v.

CENTER JOINT UNIFIED SCHOOL
DISTRICT,

Defendant.

No. 2:15-cv-0849 JAM CKD

ORDER

Plaintiff's motion to compel came on regularly for hearing on September 21, 2016. Daniel Shaw appeared for plaintiff. Lynn Garcia appeared for defendant. Upon review of the documents in support and opposition, upon hearing the arguments of counsel, and good cause appearing therefor, THE COURT FINDS AND ORDERS AS FOLLOWS:

1. The court finds, on the record before it, that all responsive documents have been produced. The motion to compel further production (ECF No. 21) is accordingly denied.
2. But for the filing of the instant motion, it appears that all responsive documents would not have been produced. The documents in dispute were originally requested in October, 2015. Defense counsel did not at that time locate responsive documents nor was a privilege log provided for withheld documents. It does not appear that defense counsel appropriately met and conferred regarding the discovery dispute until ordered by the court to do so. The court is

1 therefore considering making an award of expenses under Federal Rule of Civil Procedure
2 37(a)(5)(A) and will require further briefing on this issue.

3 a. No later than September 28, 2016, plaintiff's counsel shall submit an itemized
4 list of expenses incurred in connection with the motion. The itemization of expenses shall
5 separate attorney time spent prior to filing the motion on September 8, 2016, attorney time spent
6 between September 8, 2016 and September 28, 2016, and attorney time spent thereafter.

7 b. No later than October 5, 2016, defendant may file an opposition to the
8 requested expenses.

9 c. The matter shall thereafter stand submitted.

10 Dated: September 22, 2016

11 
12 CAROLYN K. DELANEY
13 UNITED STATES MAGISTRATE JUDGE

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