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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JACK SUPINGER,
Plaintiff,
v.
PLEASANTON FITNESS LLC,
Defendant.

No. 2:15-cv-01192-KJM-GGH

ORDER

This matter is before the undersigned pursuant to Local Rule 302(c)(21). Presently before the court is plaintiff’s notice of non-cooperation of defendant. ECF No. 8.

Plaintiff’s notice requests that the court order defendant to meet and confer. However, plaintiff’s filing is premature and in addition, is not properly formatted and noticed as a motion. The court’s June 2, 2015, scheduling order states that both parties are required to meet and confer in person concerning the disclosures required by Federal Rule 26 within thirty (30) days of the filing of an answer. ECF No. 5. The parties must then file a joint status report within fourteen (14) days of their meeting. ECF No. 5. Defendant filed an answer on June 23, 2015, ECF No. 5, meaning that the parties must meet and confer by July 23, 2015. Plaintiff filed his notice regarding defendant’s failure to respond to his attempts to meet and confer on July 16, 2015. ECF No. 8. Accordingly, plaintiff’s notice is premature.

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If plaintiff wishes to file a properly noticed motion concerning defendant's failure to meet and confer he should do so after the time to meet and confer has expired.

Dated: July 23, 2015

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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