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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT N. JOHNSON,

Plaintiff,

v.

KRISHNA G. KUMAR, et al.,

Defendants.

No. 2:16-cv-0978 JAM DB

ORDER

On August 28, 2017, plaintiff filed a motion to compel responses to requests for production of documents and interrogatories. (ECF No. 19.) Plaintiff noticed the motion for hearing before the undersigned on September 15, 2017. September 15, 2017, however, was not an available law and motion date. Accordingly, on August 30, 2017, the hearing of plaintiff's motion was continued to September 22, 2017. (ECF No. 20.)

However, discovery in this matter must be completed by September 22, 2017. (ECF No. 15 at 4.) "Completed," in this context, "means that . . . any disputes relative to discovery shall have been resolved by appropriate order if necessary and, where discovery has been ordered, the order has been complied with." (Id.)

In this regard, even if the undersigned heard plaintiff's motion on September 15, 2017, as originally noticed, sufficient time would not have remained prior to the deadline for the completion of discovery. And there certainly is not sufficient time after the September 22, 2017

1 hearing.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. Plaintiff's August 28, 2017 motion to compel (ECF No. 19) is denied without prejudice
4 to renewal¹; and

5 2. The September 22, 2017 hearing of plaintiff's motion is vacated.

6 DATED: September 20, 2017

/s/ DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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28 ¹ In this regard, if the time allotted for discovery in this action is extended, plaintiff may re-notice a motion to compel for hearing before the undersigned.