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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GORDON MCMAHON,  
Plaintiff,  
v.  
SELECT PORTFOLIO SERVICING, INC,  
et al.,  
Defendants.

No. 2:16-cv-1459-JAM-KJN  
ORDER AFTER INFORMAL TELEPHONIC  
DISCOVERY CONFERENCE  
(ECF No. 92)

On July 8, 2020, the court held an informal telephonic discovery conference to discuss: (1) an extension of time to conduct depositions; (2) whether video or in-person depositions would be required; (3) potentially overbroad issues being raised during plaintiff’s deposition of defendant’s corporate representative; (4) potentially-discoverable documents that have not been turned over by defendant; and (5) plaintiff’s delay in submitting amended responses to defendant’s interrogatories. (See ECF No. 92.) Eric Mercer appeared for plaintiff, and Catherine Robinson appeared for defendant SPS.

At the conference, the parties appeared amenable to conferring on a joint stipulation to extend deadlines in this case for approximately 60 days (so that all parties can have time to review any missing discovery before the depositions). The court also provided guidance on the specific issues raised in the parties’ joint statement.

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Based on the discussions at the conference, the court now ORDERS:

1. The parties shall confer on a joint stipulation to extend the discovery and dispositive-motion deadlines in this case by approximately 60 days, and shall submit this stipulation to District Judge Mendez;
2. Plaintiff's request to conduct an in-person deposition is denied. Given the current health crisis, depositions are to be conducted by video unless the parties jointly agree otherwise;
3. The court declines to rule on any general objections to the scope of plaintiff's deposition of SPS's corporate representative, although the court provided guidance during the informal conference. After the deposition has been scheduled, the parties should contact the courtroom deputy to inform the court of the date and time of the deposition. On the day of the deposition, the court will make itself available by phone should the parties have a specific disagreement on the scope of any of plaintiff's inquiries;
4. Defendant shall turn over to plaintiff any missing documents within 45 days of this order. If defendant believes certain documents are privileged, unavailable, or otherwise subject to an objection, defendant shall inform plaintiff as much within this 45-day period; and
5. Plaintiff shall submit amended responses to defendant's interrogatories by July 24.

Dated: July 9, 2020

mcma.1459

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE