1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 DEBRA LONDON, No. 2:17-cv-00687 KJM AC 12 Plaintiff. 13 **ORDER** v. 14 WELLS FARGO BANK, N.A, 15 Defendant. 16 17 18 Before the court is plaintiff's motion to compel discovery, filed January 9, 2019, with a 19 hearing date of January 30, 2019 requested. ECF No. 56. Discovery in this matter is set to be 20 completed by January 30, 2019. ECF No. 54. The court's original pre-trial scheduling order 21 specified that "completed' means that all discovery shall have been conducted so that all 22 depositions have been taken and any disputes relative to discovery shall have been resolved by 23 appropriate order if necessary and, where discovery has been ordered, the order has been 24 obeyed." ECF No. 35 at 2. Although the district judge recently extended the original discovery 25 deadline, she did not change that definition. See ECF No. 54. 26 Plaintiff's motion to compel is untimely and therefore will not be considered. Local Rule 27 251(a) requires a motion be filed at least 21 days before the hearing date. A motion to compel 28 filed January 9 cannot possibly comply with the January 30 deadline for its resolution and

compliance with any resulting order. The parties are free to continue to engage in informal negotiations regarding discovery, but the right to seek enforcement by this court via a motion to compel has concluded. ECF Nos. 35, 54. Because plaintiff's motion (ECF No. 56) is untimely, it is DENIED and the hearing set for January 30, 2019 is VACATED. IT IS SO ORDERED. DATED: January 10, 2019 UNITED STATES MAGISTRATE JUDGE