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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHELLE HILL, an individual, and  
ARIEL EPSTEIN POLLACK, an  
individual,

Plaintiffs,

v.

JETBLUE AIRWAYS CORPORATION, a  
Delaware corporation,

Defendant.

No. 2:17-cv-1604 WBS DB

ERICKA BOHNEL, an individual, and  
ROSA MARTINEZ, an individual,

Plaintiffs,

v.

JETBLUE AIRWAYS CORPORATION, a  
Delaware corporation,

Defendant.

No. 2:18-cv-0081 WBS DB

ORDER

On May 28, 2021, this matter came before the undersigned pursuant to Local Rule 302(c)(1) for hearing of the parties' joint motions for discovery. Attorney Rachel Luke appeared via Zoom on behalf of the plaintiffs. Attorneys Ashley Shively and Gary Halbert appeared via

1 Zoom on behalf of the defendant. Oral argument was heard and the motions were taken under  
2 submission.

3 Upon consideration of the arguments on file and those made at the hearing, and for the  
4 reasons set forth on the record at that hearing, IT IS HEREBY ORDERED that:

5 1. The parties' joint motions for discovery (Hill ECF No. 68 & Bohnel ECF No. 63) are  
6 granted in part and denied in part;

7 2. Within fourteen days of the date of this order defendant shall produce to plaintiffs the  
8 ASAP reports at issue;

9 3. Defendant's request for second depositions of plaintiffs is granted but the second  
10 deposition shall be limited to only those matters not addressed in the first deposition;

11 4. The deadline for the completion of fact and expert discovery is extended to October 4,  
12 2021; and

13 5. The parties' motions are denied in all other respects without prejudice to renewal.<sup>1</sup>

14 Dated: June 1, 2021

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17 DEBORAH BARNES  
18 UNITED STATES MAGISTRATE JUDGE

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20 DLB:6  
21 DB/orders/orders.civil/hill1604.oah.052821

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23 <sup>1</sup> At the May 28, 2021 hearing, the parties' sought further guidance from the undersigned as to  
24 "Plaintiffs' Proposed Order re Rule 35 Examinations" on Independent Medical Examinations of  
25 the plaintiffs. The parties are advised that, absent an agreement by the parties, the court can only  
26 order a Rule 35 examination "on motion for good cause" and which specifies the "the time, place,  
27 manner, conditions, and scope of the examination, as well as the person or persons who will  
28 perform it." Fed. R. Civ. P. 35(a)(2)(A)-(B). Moreover, the Joint Statements raise a number of  
individual disputes surrounding these examinations—length, method, recording, the presence of a  
third party, location, etc.—in a cursory manner. To properly resolve such issues more specific  
and elaborate briefing would be necessary. The same can be said of defendant's arguments  
concerning plaintiffs' non-compliant written discovery responses concerning the computation of  
damages.