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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

APPLE HILL GROWERS,

Plaintiff/Counter-
Defendant,

v.

EL DORADO ORCHARDS, INC., et al.,

Defendants/Counter-
Claimant.

No. 2:17-cv-02085-TLN-CKD

ORDER
(ECF No. 32)

Presently before the court is plaintiff / counter-defendant Apple Hill Growers’ motion to compel certain discovery responses and production from defendant / counter-claimant Mason Visman. (ECF No. 32.) Upon reviewing the Joint Statement regarding the discovery disagreement, filed January 5, 2022 (ECF No. 33), it appears likely that the parties will be able to resolve their discovery dispute without judicial intervention. The court strongly encourages them to endeavor to do so.

The parties’ stipulation to extend the fact-discovery deadline, attached to the Joint Statement (ECF No. 33.1), is a promising step in the right direction. The court hereby approves the stipulated extension—which does not affect the previously set dispositive motions or trial deadlines.

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1 The court will take plaintiff's motion to compel under submission in hopes that the parties
2 independently resolve the dispute and will require the parties to update the court on the status of
3 the dispute as they proceed. Based on defense counsel's representation that he will "try to
4 provide" the subject discovery responses and production by January 15, 2022 (ECF No. 33 at 5),
5 the parties shall file a supplemental joint statement regarding the status of the discovery dispute
6 no later than January 19, 2022. Should the parties reach a resolution of the motion, plaintiff shall
7 so state in the supplemental joint statement or shall withdraw the motion to compel.

8 **ORDER**

9 It is HEREBY ORDERED that:

- 10 1. Plaintiff's motion to compel (ECF No. 32) is taken under submission, and the hearing
11 on the motion currently set for January 12, 2022 is VACATED;
- 12 2. The court APPROVES the parties' stipulation (ECF No. 33.1) and extends the
13 deadline for fact discovery to May 2, 2022. All other dates and deadlines in the
14 Scheduling Order (ECF No. 29) remain unchanged; and
- 15 3. No later than January 19, 2022, the parties shall file a supplemental joint statement
16 regarding the status of the present discovery dispute, or plaintiff shall file a notice of
17 withdrawal of the motion to compel.

18 Dated: January 7, 2022

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20 _____
21 CAROLYN K. DELANEY
22 UNITED STATES MAGISTRATE JUDGE

23 19, appl.2085
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