1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 FERDINA BUIE, No. 2:17-cv-02455 MCE AC 12 Plaintiff. 13 **ORDER** v. 14 ESA MANAGEMENT, LLC, 15 Defendant. 16 17 This matter is before the court on defendant's motion to compel a physical examination of plaintiff pursuant to Fed. R. Civ. P. 35. ECF No. 22. Defendant's motion is set for hearing on 18 19 August 8, 2018 at 10:00 a.m. before the undersigned. The motion and the hearing are hereby 20 VACATED for failure to comply with E.D. Cal. R. 251, which requires discovery motions 21 brought pursuant to Fed. R. Civ. P. 26-37 and 45 to be brought by joint statement, with limited 22 exceptions that do not apply here. 23 Defendant may notice a new motion on the same topic that properly complies with E.D. 24 Cal. R. 251. Only the joint statement and attached exhibits will be considered. The court further 25 cautions defendant to ensure that any renewed motion complies with Federal Rule of Civil 26 Procedure 35 by providing sufficient information regarding the proposed "time, place, manner, 27 //// //// 28 1

conditions, and scope of the examination" such that, in the event the motion were granted, the court could issue the appropriate order. IT IS SO ORDERED. DATED: August 1, 2018 UNITED STATES MAGISTRATE JUDGE