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9	UNITED STATES DISTRICT COURT	
10	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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12	SCOTT JOHNSON,	No. 2:17-cv-02476-JAM-AC
13	Plaintiff,	
14	V.	<u>ORDER</u>
15	WINTERSTAR, LLC, et al.,	
16	Defendants.	
17		
18	This matter is before the court on plaintiffs' motion to compel initial disclosures. ECF	
19	No. 19. Defendants filed a statement of non-opposition, citing defense counsel's serious medical	
20	condition as cause for their failure to timely serve initial disclosures, along with the fact that the	
21	parties were busy participating in mediation, which ultimately failed, and a complication with	
22	defense counsel's law license, which is now resolved. ECF No. 21. Defendants asked for 20	
23	days to serve the initial disclosures. Id. Plaintiff did not reply. The matter is before the	
24	undersigned pursuant to Local Rule 302(c)(1).	
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1	In light of defendants' statement of non-opposition, plaintiff's motion (ECF No. 19) is	
2	GRANTED. <sup>1</sup> Defendants shall serve initial disclosures no later than May 11, 2020.	
3	IT IS SO ORDERED.	
4	DATED: April 28, 2020	
5	allon Clane	
6	ALLISON CLAIRE UNITED STATES MAGISTRATE JUDGE	
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26	<sup>1</sup> Ordinarily, because plaintiff's motion to compel is meritorious, an award of fees and costs would appropriate pursuant to Federal Rule of Civil Procedure 37(a)(5)(A) and Local Rule 230.	
27	However, the court notes that plaintiff did not request fees, so none will be awarded. It is further noted that, even had fees been requested, the court likely would have declined to award fees as	
28	they would be unjust under the circumstances. See Fed. R. Civ. P. 37(1)(5)(A)(ii).	
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