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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STORZ MANAGEMENT COMPANY, a
California Corporation, and STORZ
REALTY, INC.,

Plaintiffs,

v.

ANDREW CAREY, an individual, and
MARK WEINER, an individual,

Defendants.

No. 2:18-cv-0068 DJC DB

ORDER

On June 23, 2023, plaintiffs filed a motion to compel. (ECF No. 246.) The motion to compel is noticed for hearing before the undersigned on July 28, 2023, pursuant to Local Rule 302(c)(1). (ECF No. 246.) In connection with the motion the parties filed a Joint Statement re Discovery Disagreement pursuant to Local Rule 251. (ECF No. 250.) Review of the Joint Statement finds that the parties have, yet again, engaged in unhelpful conduct in connection with presenting their discovery dispute. See ECF No. 222 at 10; ECF No. 229 at 2; ECF No. 245.

In this regard, plaintiffs’ counsel asserts that they “tendered substantially the same Joint Statement previously filed” to defense counsel and asked defense counsel to “meet and confer on either July 11 or 12,” but defense counsel only agreed to meet and confer on July 14, 2023, the date the Joint Statement was due for filing. (JS (ECF No. 250) at 2.) Defense counsel asserts that

1 plaintiffs provided their portion of the Joint Statement “at approximately 9:00pm on July 14,
2 2023, which was substantially revised from an earlier draft that the parties met and conferred
3 about on July 14, 2023.” (Id. at 9.) As a result, the Joint Statement “addresses issues that have
4 been withdrawn by Plaintiffs.” (Id. at 10.) The deficiencies in this process should require no
5 explanation.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The July 28, 2023 hearing of plaintiffs’ motion to compel (ECF No. 246) is continued
8 to **August 18, 2023**;
- 9 2. On or before **August 4, 2023**, the parties shall meet and confer either in person, over
10 Zoom, or telephonically; and
- 11 3. On or before **August 11, 2023**, the parties shall file either a withdrawal of the motion
12 to compel or an updated Joint Statement re Discovery Disagreement.¹

13 Dated: July 25, 2023

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16 DEBORAH BARNES
17 UNITED STATES MAGISTRATE JUDGE
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25 ¹ The parties shall ensure that the Joint Statement complies with the Local Rules and the
26 undersigned’s Standard Information, available at the court’s web page at
27 [http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-
28 judge-deborah-barnes-db](http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-judge-deborah-barnes-db). Moreover, given the culpable conduct of both counsel, neither side
should anticipate being awarded any monetary compensation in connection with the further meet
and confer efforts or the drafting of the updated Joint Statement.