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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CINDY FULLER,

Plaintiff,

v.

LOWE'S HOME CENTERS, LLC,

Defendant.

No. 2:18-cv-01129 MCE AC

ORDER

Before the court is plaintiff's April 12, 2019 motion to quash or modify subpoenas served by defendant on her medical care provider. ECF No. 10. As defendant's opposition (ECF No. 15) points out, this motion was untimely filed. The initial pretrial scheduling order in this case provides that all non-expert discovery was to be completed by May 7, 2019. ECF No. 5 at 2. The scheduling order specified that "'completed' means that all discovery shall have been conducted so that all depositions have been taken and any disputes relative to discovery shall have been resolved by appropriate order if necessary and, where discovery has been ordered, the order has been obeyed." Id. Plaintiff's April 12 motion, scheduled for hearing on May 15, did not allow time for the dispute to be resolved, and any discovery order obeyed, before the discovery deadline expired.

Plaintiff's motion to compel is untimely and therefore will not be considered. The parties are free to continue to engage in informal negotiations regarding discovery, but enforcement

1 cannot be sought from the undersigned without modification of the scheduling order. Because
2 defendant's motion (ECF No. 10) is untimely, it is DENIED without prejudice to renewal, should
3 the pretrial scheduling order (ECF No. 5) be modified to extend the discovery deadline. The
4 hearing on the motion set for May 15, 2019 is VACATED.

5 IT IS SO ORDERED.

6 DATED: May 7, 2019

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8 ALLISON CLAIRE
9 UNITED STATES MAGISTRATE JUDGE
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