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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PRISCILLA McMANUS,
Plaintiff,
v.
NBS DEFAULT SERVICES, et al.,
Defendants.

No. 2:18-cv-02047 JAM AC

ORDER

Pending before the court is plaintiff’s motion to compel defendant Bank of America to respond to her Second Request for Production and Second Set of Interrogatories. ECF No. 89. The motion was taken under submission. ECF No. 91. Defendant Bank of America opposed the motion. ECF No. 92. Plaintiff recently filed an identical motion against defendant Nationstar Mortgage. ECF No. 95. These matters are referred to the undersigned pursuant to E.D. Cal. R. (“Local Rule”) 302(c)(1) and 302(c)(21).

Local Rule 251(b) establishes requirements for any party bringing a motion pursuant to Federal Rules of Civil Procedure 26 through 37, including the requirement that the parties meet and confer and file a joint discovery statement. Here, no joint discovery statement has been filed with respect to either motion. Additionally, there is no indication that the parties have met and conferred regarding the disputes – it appears clear they have not, in both cases. Indeed, Bank of

1 America states that plaintiff filed her motion before its deadline to respond to the discovery
2 requests and without any attempt to meet and confer. ECF No. 92 at 2. Because plaintiff, the
3 moving party, did not satisfy Local Rule 251(b)'s meet and confer requirement and the joint
4 discovery statement requirement with respect to either motion, the motions to compel discovery
5 are each denied without prejudice. See e.g., United States v. Molen, 2012 WL 5940383, at *1
6 (E.D.Cal. Nov. 27, 2012) (where a party fails to comply with Local Rule 251, discovery motions
7 are denied without prejudice to re-filing). Should plaintiff choose to re-file these motions, she
8 must comply with the Local Rules and the Federal Rules of Civil Procedure.

9 For the reasons state above, IT IS HEREBY ORDERED that plaintiff's motions to compel
10 ECF Nos. 89 and 95) are each DENIED without prejudice.

11 IT IS SO ORDERED.

12 DATE: January 7, 2021

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14 ALLISON CLAIRE
15 UNITED STATES MAGISTRATE JUDGE
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