



1 38 in doing so. See ECF No. 53 at 4; Fed. R. Civ. P. 38(b)(1). Furthermore, the Court's October  
2 19, 2020, discovery permits the parties to conduct discovery until February 22, 2021. ECF No. 54  
3 at 2. Discovery has not yet concluded. If this case reaches trial, a jury will be empaneled.  
4 Plaintiff's motion is denied as premature.

5 IT IS SO ORDERED.

6 Dated: January 7, 2021



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8 DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE

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