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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONSHEA JONES,

Plaintiff,

v.

TIREHUB, LLC,

Defendant.

No. 2:21-cv-0564 TLN DB

ORDER

On April 14, 2022, plaintiff filed a motion to compel and noticed the motion for hearing before the undersigned on May 13, 2022, pursuant to Local Rule 302(c)(1). (ECF No. 30.) On April 29, 2022, the parties filed a Joint Statement re Discovery Disagreement pursuant to Local Rule 251. (ECF No. 32.) Review of the Joint Statement finds that plaintiff's briefing is woefully inadequate and entirely insufficient to resolve the parties' dispute.

In this regard, Local Rule 251(c)(3), requires that:

Each specific interrogatory, deposition question or other item objected to, or concerning which a protective order is sought, and the objection thereto, shall be reproduced in full. The respective arguments and supporting authorities of the parties shall be set forth immediately following each such objection. When an objection is raised to a number of items or a general protective order is sought that is related to a number of specific items, the arguments and briefing need not be repeated.

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1 Admittedly, the undersigned routinely elects not to enforce this provision when the  
2 parties' briefing nonetheless sufficiently and clearly articulates the discovery items at issue as  
3 well as the parties' respective arguments. Indeed, it is often preferable that the parties not  
4 reproduce in full each discovery item at issue. Here, however, "PLAINTIFF'S POSITION,"  
5 which contains plaintiff's substantive argument, consists of less than three pages with just three  
6 general assertions: (1) defendant bears the burden of proving the validity of their objections; (2)  
7 defendant must produce the identities and contact information for the putative litigants; and (3)  
8 sanctions are warranted. (JS (ECF No. 32) at 3-5.) These three pages are supposed to support  
9 compelling production of two interrogatories and eight requests for production in this state wide  
10 class action seeking unpaid wages.

11 In contrast, defendant's well-reasoned and thorough argument consists of roughly ten  
12 pages.<sup>1</sup> Those pages address specific discovery items at issue, provide ample citations to  
13 authority in support of defendant's position, and asserts specific actions defendant proposed in an  
14 attempt to resolve this dispute. While the undersigned values brevity in these matters plaintiff's  
15 portion of the Joint Statement is far too vague and conclusory, and fails to address many of  
16 defendant's arguments with any particularity.

17 One such argument is defendant's assertion that plaintiff "failed to meet and confer  
18 regarding several responses prior" to filing this motion. (*Id.* at 9.) Plaintiff failed to specifically  
19 address this argument, instead stating simply that the parties "held their Rule 26(f) conference on  
20 May 11, 2021," and then—almost a year later—on April 27, 2022, "again met and conferred  
21 telephonically regarding outstanding discovery," which "was productive[.]" (*Id.* at 3.) The  
22 undersigned's Standard Information re discovery disputes set forth on the court's web page  
23 explains that parties must meet and confer prior to filing a discovery motion and "must again  
24 confer in person or via telephone or video conferencing" prior to the filing of the joint statement.  
25 See [http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-](http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-judge-deborah-barnes-db)  
26 [judge-deborah-barnes-db](http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-judge-deborah-barnes-db).

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28 <sup>1</sup> The undersigned has reached no conclusion with respect to the merits of defendant's argument.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's April 14, 2022 motion to compel (ECF No. 30) is denied without prejudice to renewal; and
2. The May 13, 2022 hearing is vacated.

DATED: May 10, 2022

/s/ DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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