

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROYLENE RAY, *et al.*,
Plaintiffs,
v.
BLUEHIPPO FUNDING, LLC, *et al.*,
Defendants.

No. C-06-1807 JSW (EMC)

**ORDER GRANTING DEFENDANTS’
MOTION TO CHANGE TIME; AND
DENYING WITHOUT PREJUDICE
DEFENDANTS’ REQUEST FOR LOCAL
COUNSEL PARTICIPATION**

(Docket No. 200)

In an order dated September 10, 2008, the Court set a schedule for Plaintiffs’ document requests related to the Rensin deposition. BlueHippo has now moved to change that schedule. BlueHippo has also asked that the Court require Plaintiffs’ local counsel, Mr. Bramson, to participate in discovery meet-and-confer sessions. The Court’s rulings are provided below.

A. BlueHippo’s Motion to Change Time

After BlueHippo filed its motion to change time, the Court required the parties to further meet and confer on the issue. During a conference call with Court staff on September 24, 2008, the parties indicated that they were not able to reach agreement on the issue.

The Rensin deposition is scheduled for November 14, 2008. Documents for the deposition are to be produced by November 10, 2008. BlueHippo proposed that Plaintiffs’ document requests be served by October 3, 2008, and that its objections be served by October 24, 2008. Plaintiffs proposed that the bulk of their requests be served by October 3, 2008, with the remainder to be served on October 8, 2008, and that BlueHippo’s objections be served by October 24, 2008.

1 The Court orders that the document requests be served by **October 6, 2008**, and that
2 objections be served by **October 24, 2008**. As previously ordered, if there is any objection, the
3 parties shall meet and confer (by telephone is acceptable) by **October 25, 2008**. If the dispute is not
4 resolved, then the parties shall file a joint letter (limited to three single-spaced pages) no later than
5 **October 27, 2008**.

6 B. BlueHippo's Request for Local Counsel Participation

7 During the September 24 conference call, BlueHippo also asked the Court to require local
8 counsel, Mr. Bramson, to participate in discovery meet-and-confer sessions. BlueHippo contends
9 that Mr. Bramson's participation should be required because Mr. Peller, lead trial counsel for
10 Plaintiffs, is less inclined to be reasonable during meet-and-confer sessions because, as an attorney
11 based in Washington, D.C., he does not make regular appearances in this District. Plaintiffs object
12 to the request, contending that it is intended to impose additional costs on them.

13 The Court denies BlueHippo's request without prejudice. The Court forewarns both parties
14 that, if either side fails to offer compromises or alternatives, or otherwise does not participate
15 reasonably in meet-and-confer sessions, it risks being sanctioned. Sanctions may be issued by this
16 Court directly (*e.g.*, pursuant to its inherent authority) or sanctions may be issued by the presiding
17 judge upon recommendation by this Court (*e.g.*, pursuant to the presiding judge's contempt
18 authority).

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20 IT IS SO ORDERED.

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22 Dated: September 24, 2008

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EDWARD M. CHEN
United States Magistrate Judge