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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 CURTIS PHELPS,

12 Plaintiff,

13 v.

14
 15 PAUL PROUTY, Acting Administrator of the
 United States General Services Administration,

16 Defendant.

) No. C 07-1055-JSW

) ~~PROPOSED~~ ORDER REGARDING
DISCOVERY DISPUTE

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 18 This matter has come before the Court on a discovery dispute that was summarized by the
 19 parties in a letter submitted to the Court on November 9, 2009, pursuant to this Court's Civil
 20 Standing Orders.

21 ~~On September 1, 2009, counsel for the government served requests for production of~~
 22 ~~documents and interrogatories on counsel for plaintiff. On September 14, 2009, government~~
 23 ~~counsel served requests for admission on counsel for plaintiff. After plaintiff's counsel expressed~~
 24 ~~his need for more time to serve his responses to the government's discovery requests, government~~
 25 ~~counsel agreed to extend the due date for plaintiff's responses to October 20, 2009. After~~
 26 ~~plaintiff's counsel again expressed his need for even more time to serve his responses to the~~
 27 ~~government's discovery requests, government counsel agreed to another extension of the due date~~
 28 ~~for plaintiff's discovery responses, this time to October 26, 2009. Government counsel did not~~

ORDER REGARDING DISCOVERY DISPUTE
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1 receive plaintiff's discovery responses by October 26, 2009.

2 Government counsel then received an email from plaintiff's counsel on November 2, 2009,
3 advising that "[w]e will have discovery responses to you by this Wednesday, as it is still being
4 gathered and put together." Government counsel did not receive the discovery responses by
5 November 4, 2009 as promised by plaintiff's counsel.

6 On November 9, 2009, plaintiff's counsel advised government counsel that his client was still
7 gathering documents that are responsive to the government's discovery requests, that he would
8 promptly provide government counsel with his discovery responses, and that he had no objection
9 to extending the fact discovery cut-off for the government and the government only from
10 November 20, 2009, to December 18, 2009. The government has still not received the plaintiff's
11 discovery responses.

12 IT IS HEREBY ORDERED that plaintiff serve his complete discovery responses on counsel
13 for the government no later than November 20, 2009, or he will face immediate sanctions.
14 Furthermore, the discovery deadline for the government and the government only is hereby
15 extended to December 28, 2009.

16 IT IS SO ORDERED.

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18 Dated: November 30, 2009

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21 JEFFREY S. WHITE
22 United States District Judge
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