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7   UNITED STATES DISTRICT COURT

8   NORTHERN DISTRICT OF CALIFORNIA

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10   CLARKE and REBECCA WIXON,   )
)
11   Plaintiff(s),   )   No. C 07-2361 JSW (BZ)
)
12   v.   )   **INITIAL DISCOVERY ORDER**
)
13   TRENDWEST RESORTS, INC., et)
     al.,   )
14   )
              Defendant(s).   )
15   ─────────────────────────────)

16   All discovery in this matter has been referred to United

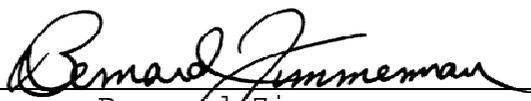17   States Magistrate Judge Bernard Zimmerman.

18   In the event a discovery dispute arises, the parties

19   shall meet in person or, if counsel are outside the Bay Area,

20   by telephone and make a good faith effort to resolve their

21   dispute. Exchanging letters or telephone messages about the

22   dispute is insufficient. The Court will not read subsequent

23   positioning letters; parties shall instead make a

24   contemporaneous record of their meeting using a tape recorder

25   or a court reporter.

26   In the event they cannot resolve their dispute, the

27   parties must participate in a telephone conference with the

28   Court **before** filing any discovery motions or other papers.

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The party seeking discovery shall request a conference in a
letter **filed electronically** not exceeding two pages (with no
attachments) which briefly explains the nature of the action
and the issues in dispute. Other parties shall reply in
similar fashion within two days of receiving the letter
requesting the conference. The Court will contact the parties
to schedule the conference.

After the conference with the Court, if filing papers is
deemed necessary, they should be filed **electronically** with the
Clerk's Office, with **one hard copy delivered directly to**
Magistrate Judge Zimmerman's Chambers (Room 15-6688). A
chambers copy of all briefs shall be submitted on a diskette
formatted in WordPerfect format or may be e-mailed to the
following address: **bzpo@cand.uscourts.gov**

Dated: December 9, 2008

_____
Bernard Zimmerman
United States Magistrate Judge

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