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28IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL TOSCHI, et al.,

No. C-07-03625 MMC (EDL)

Plaintiffs,

**ORDER RE: PLAINTIFFS' SEPTEMBER
25, 2008 LETTER**

v.

COUNTY OF SAN MATEO, et al.,

Defendants.

On September 10, 2008, Judge Chesney referred this case to this Court for purposes of discovery. On September 11, 2008, the Court issued a standing order regarding discovery procedures and set an October 17, 2008 hearing for Plaintiffs' Motion to Compel. Plaintiffs subsequently withdrew their motion to compel. Paragraph four of the Court's standing order states in relevant part: "In addition to the general requirements of Rule 26(e)(1), the parties will supplement and/or correct all previously made disclosures and discovery responses 28 days before the fact discovery cutoff date." On September 25, 2008, Plaintiffs sent a letter seeking clarification of this paragraph. On September 29, 2008, Defendants responded to Plaintiffs' letter.

The Court's requirement to supplement disclosures and discovery responses is clear and does not depend on whether a discovery motion is pending. Accordingly, supplemental disclosures and discovery responses pursuant to the Court's order were due in this case on September 12, 2008. Disclosures and discovery responses shall be supplemented as appropriate forthwith in accordance with the Court's standing order.

IT IS SO ORDERED.

Dated: September 29, 2008

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge