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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 UNITED STATES,

No. C-08-05005 MMC (EDL)

9 Plaintiff,

**ORDER DENYING DEFENDANTS'  
MOTION TO SHORTEN TIME**

10 v.

11 ZURICH INSURANCE COMPANY, et al.,

12 Defendants.  
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14 On August 23, 2010, Defendants filed a Motion to Compel Production of Electronically  
15 Stored Information and a Motion to Compel Production of Documents Withheld as Privileged.  
16 Defendants also filed a Motion to Shorten Time to hear these motions on the same day as Plaintiff's  
17 Motion to Compel Production of Documents or, Alternatively, for In Camera Review, which is  
18 being heard on September 16, 2010. Plaintiff filed an opposition to Defendants' Motion to Shorten  
19 Time.

20 Defendants seek to shorten time on the grounds that the discovery cutoff date is September  
21 10, 2010, and that Plaintiffs' Motion to Compel is scheduled to be heard on September 16, 2010.  
22 Both Plaintiffs' Motion to Compel and Defendants' Motion to Compel Documents Withheld as  
23 Privileged involve the broad issue of attorney-client privilege, but do not appear to be substantively  
24 related. The Court previously denied Plaintiff's Motion to Shorten Time to hear Plaintiff's Motion  
25 to Compel, which Defendants opposed, on the grounds that Plaintiff had not shown good cause.  
26 Similarly, here, Defendants have not shown good cause to shorten time. Therefore, Defendants'  
27 Motion to Shorten Time is denied. Because the Court is unavailable on September 28, 2010, the  
28 Motion to Compel Production of Electronically Stored Information and a Motion to Compel  
Production of Documents Withheld as Privileged shall be heard on October 5, 2010 at 9:00 a.m.

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As stated in the Court's August 10, 2010 Order, the Court is mindful of the September 10, 2010 discovery cutoff date. If, as a result of the Court's ruling on the Motion to Compel, key documents are produced, the Court would consider extending the deadline for related depositions after the discovery cutoff date upon a showing of good cause. Further, if the parties have not already done so, they should meet and confer on the issues raised in Defendants' motions.

**IT IS SO ORDERED.**

Dated: August 31, 2010

*Elizabeth D. Laporte*  
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ELIZABETH D. LAPORTE  
United States Magistrate Judge