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United States District Court  
For the Northern District of California

**NOT FOR CITATION**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
EUREKA DIVISION

LINO NSHIMBA,

Plaintiff,

v.

LOWE'S HOME IMPROVEMENT  
WAREHOUSE, INC., et al.,

Defendants.

No. CV 10-2982 RS (NJV)

**ORDER REQUIRING PARTIES TO  
MEET AND CONFER RE: PENDING  
DISCOVERY DISPUTE**

(Docket No. 23)

The district court has referred Defendant Lowe's Home Improvement Warehouse, Inc.'s motion to compel and all future discovery disputes to this Court for determination. Doc. No. 26. On May 19, 2011, the Court ordered counsel for all parties to engage in an in-person meet and confer by June 3, 2011 regarding the pending discovery dispute. On June 2, 2011, counsel for Defendant informed the Court that the parties are unable to engage in an in-person meet and confer by June 3, 2011, due in part to the unavailability of Plaintiff's counsel through June 15, 2011. It does not appear that the parties attempted to schedule the required in-person meet and confer until June 1, 2011.

The Court ORDERS counsel for all parties to engage in the previously ordered in-person meet and confer regarding the pending discovery dispute by close of business June 20, 2011. Given counsel's location in San Francisco and Los Angeles, counsel may participate by telephone. Counsel shall engage in a meaningful meet and confer regarding outstanding discovery requests and

1 the pending discovery dispute. After the in-person meet and confer, the parties shall file a single  
2 joint letter to the Court informing the Court of the status of the in-person meet and confer. If the  
3 parties are unable to resolve their discovery disputes after the in-person meet and confer, the single  
4 joint letter to the Court should succinctly set forth the parties' positions on each disputed issue. The  
5 joint letter must be filed by close of business June 23, 2011. If the parties do not comply with the  
6 Court's order, the hearing currently scheduled for June 28, 2011 will be vacated and continued.

7 Per this Court's standing order, for future discovery-related motions, counsel must deliver  
8 two (2) chambers copies of all filings.

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10 **IT IS SO ORDERED.**

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12 Dated: June 3, 2011

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15 NANDOR J. VADAS  
16 United States Magistrate Judge  
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