

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BERNARDO MENDIA,  
Plaintiff,  
v.  
JOHN M. GARCIA, et al.,  
Defendants.

Case No. [10-cv-03910-MEJ](#)

**DISCOVERY ORDER**

Re: Dkt. No. 129

Pending before the Court is the parties' joint letter disputing whether Plaintiff may take discovery from Defendants John M. Garcia and Ching Chang. Dkt. No. 129. The Court has recently issued an Order on those Defendants' Motion to Dismiss the Third Amended Complaint. Dkt. No. 138. At the same time, Defendants have also appealed the Court's Order regarding their Motion to Dismiss the Second Amended Complaint and Plaintiff's Motion for Leave to file a Third Amended Complaint. Dkt. No. 137 (Receipt of Notice of Appeal). The Court consequently requests supplemental briefing from the parties about the proposed scope of discovery in light of the Court's recent Order on the Motion to Dismiss the Third Amended Complaint and Defendants' recent appeal. The parties shall meet and confer and submit a supplemental letter of no longer than four pages total addressing the impact of the Court's Order and Defendants' Appeal on Plaintiff's discovery requests. It is not necessary that the parties meet and confer in person. The supplemental letter must be filed by May 18, 2016.

**IT IS SO ORDERED.**

Dated: May 10, 2016

  
\_\_\_\_\_  
MARIA-ELENA JAMES  
United States Magistrate Judge