UNITED STATES DISTRICT COURT
Northern District of California

JASON G. HELLER,

Plaintiff,

v.

CEPIA L.L.C., et al.,

Defendants.
_____/

No. C 11-1146 MEJ

ORDER RE: PLAINTIFF'S OPPOSITION TO DEFENDANT'S EX PARTE APPLICATION

Re: Docket No. 75

On December 12, 2011, Plaintiff Jason G. Heller filed an Opposition to Defendant Cepia, L.L.C.'s Ex Parte Motion for Leave to Submit Ex Parte Declarations. Dkt. No. 75. In his opposition, Plaintiff argues that Defendant failed to comply with the Court's December 5 Order, which denied Defendant' motion for leave to file a motion for a protective order and required the parties to meet and confer in person and thereafter file a joint letter in accordance with the undersigned's discovery standing order. Dkt. No. 70. However, in its Order, the Court ordered that if either party wished to submit an expert declaration and the other party objects, the requesting party shall file an ex parte request. *Id.* Accordingly, Plaintiff's argument is without merit. Plaintiff's request for sanctions is denied on that ground as well. Plaintiff's request for sanctions is also denied because he failed to comply with the undersigned's discovery standing order in that his request for sanctions did not come in the form of a separate motion.

IT IS SO ORDERED.

Dated: December 13, 2011

Maria-Elena James
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT
For the Northern District of California