

United States District Court  
Northern District of California

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6 AMBERT HAWTHORNE, et al.,

7 Plaintiffs,

8 v.

9 UMPQUA BANK,

10 Defendant.

Case No.: CV 11-06700-KAW

ORDER REGARDING MOTION TO  
MODIFY SUBPOENAS

11 Christopher Kneer and Victoria Kneer (the "Kneers"), two plaintiffs in this class action,  
12 move to modify subpoenas served on Patelco Credit Union, a third party. (Pl.'s Mot. at 9, Dkt.  
13 No. 84.) Umpqua Bank ("Umpqua") opposes the motion. (Def.'s Opp'n, Dkt. No. 92.) This  
14 matter is scheduled for hearing on April 3, 2014.

15 Having reviewed the papers filed in this matter, the court finds that the parties may be able  
16 to resolve their dispute without judicial intervention. The Kneers have suggested that exemplar  
17 bank statements are a suitable alternative to their actual account statements, see Pl.'s Mot. at 9,  
18 and Umpqua has offered to limit "any future requests for account statements from other financial  
19 institutions to the first and last account statement for the period in question . . . as well as any  
20 account statements for the months on which [the Kneers] were assessed overdraft fees," see Def.'s  
21 Opp'n at 10. Despite the fact that each of these proposals were rejected, either form of limited  
22 disclosure may be appropriate in this case.

23 Therefore, the court orders the parties to further meet and confer to resolve this discovery  
24 dispute. The hearing currently set for April 3, 2014 is continued to April 17, 2014. If the parties  
25 succeed in resolving their dispute without court intervention, they shall promptly notify the court.

26 IT IS SO ORDERED.

27 Dated: March 27, 2014

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KANDIS A. WESTMORE  
United States Magistrate Judge