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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

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12 SETH D. HARRIS, Secretary of Labor,
United States Department of Labor,

13 Plaintiff,

14 v.

15 SEAFOOD PEDDLER OF SAN
16 RAFAEL, INC., dba SEAFOOD
17 PEDDLER; ALPHONSE SILVESTRI;
RICHARD MAYFIELD; FIDEL
CHACON,

18 Defendants.

Case No. 12-cv-00116 WHO (NC)

**ORDER GRANTING IN PART,
DENYING IN PART DEFENDANTS'
EX PARTE DISCOVERY LETTER
BRIEF**

Re: Dkt. No. 128

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20 This order responds to the issues raised by defendants' ex parte discovery letter
21 brief filed earlier today. In sum, defendants assert that plaintiff has refused to meet and
22 confer on pending discovery issues and seek an order (1) compelling plaintiff to meet and
23 confer; and (2) extending the time period for the submission of a joint letter brief (Dkt.
24 No. 119). The Court rules as follows:

- 25 1. The Court extends the July 24 deadline to July 26, 2013 at noon.
26 2. The Court reaffirms its order that the parties must meet and confer on
27 discovery issues before filing discovery motions.
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Case No. 12-cv-00116 WHO (NC)
ORDER RE: LETTER BRIEF

1 3. If counsel are unable to coordinate a discovery “meet and confer” by July
2 24, 2013 without Court supervision, lead counsel for all parties are ordered
3 to appear in Courtroom A, 15th Floor, San Francisco federal courthouse, on
4 July 25, 2013, at 1:30 p.m., to confer under court supervision. A failure to
5 appear may be punished by sanctions against client and counsel, to the
6 fullest extent permitted by law.

7 4. The remaining relief requested by the defendants is denied without
8 prejudice, pending further conferring and briefing by the parties.

9 5. The August 28, 2013 discovery hearing remains on calendar.

10 Any party may object to this non-dispositive discovery order within 14 days under
11 Fed. R. Civ. P. 72.

12 IT IS SO ORDERED.

13 Date: July 23, 2013

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15 NATHANAEL M. COUSINS
16 United States Magistrate Judge
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