

UNITED STATES DISTRICT COURT  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CASSAUNDR A ELLENA,  
Plaintiff,

No. C 12-05401 SC (LB)

v.

**ORDER REGARDING PLAINTIFF'S  
MOTION FILED NOVEMBER 27, 2013**

[Re: ECF No. 66]

STANDARD INSURANCE COMPANY et al.,  
Defendants.

\_\_\_\_\_ /

On November 27, 2013, Plaintiff filed a motion "to shorten time for hearing on Plaintiff's motion for leave to serve revised expert witness report." Motion, ECF No. 66. Plaintiff did not, however, file the underlying motion for leave to serve a revised expert report.

Even so, the parties should have complied with the undersigned's standing order, which, as the parties know, establishes procedures for resolving discovery disputes. This is a discovery dispute (or at least it might be, if Defendant opposes Plaintiff's request). If the court's procedures had been followed, the court would have received a joint discovery letter brief, rather than a motion. This would have given the court a document that contains both Plaintiff's arguments for why she should be able to serve a revised expert report and, if applicable, Defendant's arguments against it. (In this case, the court notes that Plaintiff says that Defendant's counsel did not respond to her counsel's email about serving an amended expert report.) And the court could have more easily handled this

ORDER  
C 12-05401 SC (LB)

1 situation.

2 To avoid further confusion, the court adopts the following procedure:

3 1. Defendant, which did not oppose Plaintiff's motion to shorten time, shall have until **12:00 p.m.**  
4 **on Thursday, December 12, 2013** to notify Plaintiff whether it opposes Plaintiff's request for leave  
5 to serve a revised expert report.

6 2. If Defendant does not oppose Plaintiff's request for leave to serve a revised expert report, the  
7 parties shall file, no later than **3:00 p.m. on Thursday, December 12, 2013**, a stipulation allowing  
8 Plaintiff to serve a revised expert report.

9 3. If Defendant does oppose Plaintiff's request for leave to serve a revised expert report, the parties  
10 are directed to meet and confer and file, in accordance with the undersigned's standing order, a joint  
11 discovery dispute letter by **5:00 p.m. on Friday, December 13, 2013**.

12 **IT IS SO ORDERED.**

13 Dated: December 11, 2013



LAUREL BEELER  
United States Magistrate Judge

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