

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

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4 RONALD HERD,  
5 Plaintiff,  
6 v.  
7 CITY OF OAKLAND, et al.,  
8 Defendants.

Case No. [13-cv-04443-MEJ](#)

**ORDER RE: DISCOVERY MEET AND  
CONFER PROCEDURE**

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10 The Court is in receipt of Defendants' request, filed December 5, 2014, regarding the in-  
11 person meet and confer requirement for discovery disputes. Dkt. No. 55. Good cause appearing,  
12 the Court shall permit the parties to meet and confer by video conference if possible, otherwise by  
13 telephone. To ensure compliance with the spirit of the meet and confer requirement, the parties  
14 shall make a contemporaneous record of their meetings using a court reporter or electronic  
15 recording device.

16 If the parties are unable to resolve any disputes at the meet and confer session, the moving  
17 party shall provide the opposing party with a draft joint letter in compliance with the  
18 undersigned's Discovery Standing Order. Within seven (7) calendar days of receipt of the draft  
19 letter, the opposing party shall provide its portion of the letter. If the opposing party fails to timely  
20 respond, the moving party shall file notice pursuant to Paragraph 3 of the Discovery Standing  
21 Order.

22 The parties should be mindful that the Court shall reinstate the in-person meeting  
23 requirement if it determines that the telephone meetings are not fruitful.

24 **IT IS SO ORDERED.**

25 Dated: December 5, 2014

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MARIA-ELENA JAMES  
United States Magistrate Judge