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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRANLETT EUGENE KIMMONS,  
Plaintiff,  
v.  
A. AVILAR,  
Defendant.

Case No. [14-cv-00954-JD](#)

**ORDER**

Re: Dkt. Nos. 112, 113


Plaintiff proceeds with a pro se civil rights action. Plaintiff has filed two motions that contain discovery requests. Plaintiff is informed that the Court generally is not involved in the discovery process and only becomes involved when there is a dispute between the parties about discovery responses. Discovery requests and responses normally are exchanged between the parties without any copy sent to the court. *See* Fed. R. Civ. P. 5(d) (listing discovery requests and responses that “must not” be filed with the court until they are used in the proceeding or the court orders otherwise). Only when the parties have a discovery dispute that they cannot resolve among themselves should the parties even consider asking the court to intervene in the discovery process. The Court does not have the resources to oversee all discovery, and so requires that the parties present to it only their very specific disagreements. To promote the goal of addressing only very specific disagreements (rather than becoming an overseer of all discovery), the Court requires that the parties meet and confer to try to resolve their disagreements before seeking court intervention. *See* Fed. R. Civ. P. 37(a); N.D. Cal. Local Rule 37. Where, as here, one of the parties is a prisoner, the Court does not require in-person meetings and instead allows the prisoner and defense counsel to meet and confer by telephone or exchange of letters. Although the format of the meet-and-confer process changes, the substance of the rule remains the same: the parties must

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engage in a good faith effort to meet and confer before seeking court intervention in any discovery dispute. Plaintiff's motions (Docket Nos. 112, 113) are **DENIED** and plaintiff should seek this discovery from defendants.

**IT IS SO ORDERED.**

Dated: March 28, 2019

  
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JAMES DONATO  
United States District Judge

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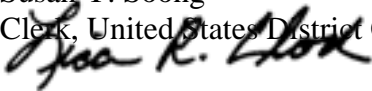
**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 28, 2019, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Branlett Eugene Kimmons ID: BG3842  
44750 60th Street West  
Lancaster, CA 93536

Dated: March 28, 2019

Susan Y. Soong  
Clerk, United States District Court  


By: \_\_\_\_\_

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LISA R. CLARK, Deputy Clerk to the  
Honorable JAMES DONATO