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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AMERICAN SMALL BUSINESS
LEAGUE,

No. C 14-02166 WHA

Plaintiff,

v.

**ORDER DENYING STIPULATED
REQUEST TO CONTINUE
DISCOVERY HEARING**

DEPARTMENT OF DEFENSE,

Defendant.

On October 2, plaintiff submitted a letter “to inform the Court that [the parties] have exhausted efforts to meet and confer concerning two outstanding discovery disputes . . . that are ripe for adjudication.” That letter also noted that “[t]he parties . . . are available generally the week of October 9, 2017 and thereafter” (Dkt. No. 101). An order dated October 3 set a meet-and-confer and discovery hearing for October 10 to resolve those disputes (Dkt. No. 102). On October 4, defendants also submitted a letter describing another “discovery dispute” concerning defendants’ contentions that plaintiff’s “expert designations are both untimely and substantively improper,” and the expert opinions in question are inadmissible to boot (Dkt. No. 103).

Today, the parties submitted a stipulated request to continue the meet-and-confer and discovery hearing from October 10 to October 19 “or another subsequent date” on the basis that defendants are internally considering whether to “release additional information [that] may resolve some matters presently in dispute,” but “the additional information may not be released

1 by October 10, particularly if Sikorsky objects to the release.” Also, the parties add, “it will be
2 more efficient to postpone the meet-and-confer and discovery hearing for a short period,
3 particularly because counsel for ASBL will travel from Washington, D.C. to attend these events”
4 (Dkt. No. 104 ¶¶ 4–6). The request offers no other details regarding the timing of defendants’
5 internal deliberations. It provides no assurance that said deliberations would complete by
6 October 19 even if the requested continuance were granted. And it give no other explanation
7 why counsel’s travel from Washington, D.C., would be more efficient later rather than sooner.

8 The stipulated request is **DENIED**. The meet-and-confer and discovery hearing remain set
9 for October 10 at 9:00 a.m. and 11:00 a.m., respectively, and shall include the dispute raised by
10 defendants’ letter dated October 4 (Dkt. No. 103). Plaintiff may respond to that letter by
11 **OCTOBER 8 AT NOON.**

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13 **IT IS SO ORDERED.**

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15 Dated: October 5, 2017.

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18 WILLIAM ALSUP
19 UNITED STATES DISTRICT JUDGE
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