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6 **UNITED STATES DISTRICT COURT**  
7 **NORTHERN DISTRICT OF CALIFORNIA**  
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9 GENERAL EMPLOYEES TRUST FUND  
10 and BOARD OF TRUSTEES OF  
11 GENERAL EMPLOYEES TRUST FUND,

12 Petitioners,

13 v.

14 YUL HERMES, an individual,

15 Respondent.

Case No. 14-cv-04054 NC

**ORDER GRANTING MOTION BY  
RESPONDENT YUL HERMES  
FOR ISSUANCE OF ORDER  
SETTING SEQUENCE AND  
SCOPE OF INITIAL  
DISCLOSURES, IF ANY**

Re: Dkt. No. 32

16 This is an action brought under § 301 of the Labor Management Relations Act, as  
17 amended, 29 U.S.C. § 185, to enforce an arbitration award against respondent Yul Hermes  
18 on an alter ego theory. Dkt. No. 1. Hermes now moves for an order that the action is  
19 exempt from the initial disclosure requirements of Federal Rule of Civil Procedure  
20 26(a)(1)(A), or in the alternative, for an order altering the sequence and scope of Hermes's  
21 initial disclosures. Dkt. No. 32. Petitioners oppose the motion. Dkt. No. 40. The Court  
22 finds the motion suitable for resolution without oral argument, *see* Civ. L.R. 7-1(b), and  
23 GRANTS the motion as follows:

24 The Court finds that this action is exempt from initial disclosures under Federal Rule  
25 of Civil Procedure 26(a)(1)(B)(ix). However, the Court has not stayed discovery and  
26 nothing in this order prevents the parties from proceeding with discovery.

27 In his motion, Hermes asserts that petitioners have improperly refused to respond to  
28 discovery requests propounded by Hermes on the basis of the pendency of this motion.

Case No. 14-cv-04054 NC  
ORDER RE: INITIAL DISCLOSURES

1 Dkt. Nos. 32, 42. The parties are reminded that, as set forth in the undersigned Magistrate  
2 Judge's civil standing order, discovery disputes must be presented to the Court by filing a  
3 joint statement of five pages or less. Prior to the filing of such a statement, the parties must  
4 meet and confer to attempt to resolve their dispute.

5 IT IS SO ORDERED.

6 Date: February 19, 2015

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9 Nathanael M. Cousins  
10 United States Magistrate Judge  
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