

1
2
3
4
5
6 IN THE UNITED STATES DISTRICT COURT
7
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9

10 RUBY PROVOST,

11 Plaintiff,

No. C 15-05280 WHA

12 v.

13 RITE AID CORPORATION,

14 Defendant.
15 _____/

**ORDER DENYING REQUEST
FOR FURTHER CASE
MANAGEMENT CONFERENCE**

16 Defendant Rite Aid Corporation has filed an administrative motion requesting a further
17 case management conference to seek clarification on the deadline for initial disclosures. The
18 case management order states: “All initial disclosures under FRCP 26 must be completed by
19 **MAY 25, 2016**, on pain of preclusion under FRCP 37(c), including full and faithful compliance
20 with FRCP 26(a)(1)(A)(iii).”

21 According to Rite Aid’s administrative motion, the parties disagree about the following:

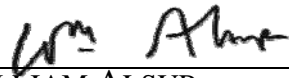
22 The parties seek clarification on whether the Court’s order means
23 that: (1) all first-round initial disclosures in the cases must be
24 completed by May 25, 2016, but that the parties may continue to
25 supplement the disclosures as discovery proceeds (plaintiff’s
26 interpretation of the Court’s order), or (2) any and all disclosures
27 must be made by this deadline, and the parties may not
28 supplement the disclosures after this deadline (Rite Aid’s
interpretation of the Court’s order).

FRCP 26(a)(1) does not differentiate between “first-round” initial disclosures and later-round
initial disclosures. Rather it describes all initial disclosures that “a party must, without awaiting
a discovery request, provide to the parties.” The case management order set May 25 as the

1 deadline for “[a]ll initial disclosures.” FRCP 26(e) describes the process for supplementing
2 initial disclosures and supplements must genuinely qualify as supplements. Rite Aid’s motion
3 requesting a further case management conference for the Court to explain how FRCP 26 works
4 is **DENIED**.

5
6 **IT IS SO ORDERED.**

7
8 Dated: April 20, 2016.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE