

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANIELLE PARKER,
Plaintiff,
v.
COMCAST CABLE COMMUNICATIONS
MANAGEMENT, LLC,
Defendant.

Case No. [3:15-cv-05673-TEH](#) (KAW)
**ORDER REGARDING 2/23/17
DISCOVERY LETTERS RE:
PLAINTIFF'S DEPOSITION**
Re: Dkt. Nos. 39 & 40

On February 23, 2017, the parties filed separate discovery letters pertaining to Defendant's forthcoming deposition of Plaintiff Danielle Parker, which is currently noticed for March 8, 2017. (Def.'s Letter, Dkt. No. 39; Pl.'s Letter, Dkt. No. 40.) Defendant originally noticed Plaintiff's deposition for mid-January, but it was rescheduled multiple times. (Def.'s Letter at 1.) Plaintiff's counsel explains that she has had the flu and has missed two weeks of work, and cannot guarantee that she will be healthy enough to proceed on March 8, 2017. (Pl.'s Letter at 1.) The fact discovery cut-off date is April 3, 2017. (Dkt. No. 29.)

In light of the imminent discovery cut-off, Defendant seeks an order compelling Plaintiff's attendance at the noticed deposition on March 8, 2017 or, in the alternative, on a mutually convenient date before then. (Def.'s Letter at 1.) Plaintiff's counsel provides that March 8, 2017 is the earliest date that she and her client are available. (Pl.'s Letter at 1.) Accordingly, Defendant's request is DENIED. The Court is confident that Plaintiff's counsel will be healthy enough to defend the deposition on that date, but, should her illness persist, the parties shall, if necessary, seek relief from the presiding judge to extend the case deadlines in this action.

///
///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The parties are advised that any future discovery disputes must be addressed in a joint letter that complies with the undersigned's standing order. (Judge Westmore's General Standing Order ¶ 13.)

IT IS SO ORDERED.

Dated: February 24, 2017


KANDIS A. WESTMORE
United States Magistrate Judge