

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

CHRISTIAN TEAGUE,
Plaintiff,
v.
BIOTELEMETRY, INC., et al.,
Defendants.

Case No. 16-cv-06527-TSH

DISCOVERY ORDER

Re: Dkt. No. 103

The Court held a telephonic hearing today concerning the parties' joint letter brief, ECF No. 103. Defendants represented that they are producing all of the contracts with the 20 contracting parties today via overnight delivery in hard copy. They also represented that they are producing the communications with those contracting parties leading up to the execution of the contracts today via overnight delivery on DVD. They further represented that they are producing items that were erroneously included in their privilege log today via overnight delivery on DVD. They also stated that following the hearing they would email Plaintiff their interrogatory responses. Going forward, Defendants will not produce documents or discovery materials via FTP given the problems Plaintiff has had in downloading them. The parties shall meet and confer concerning alternate methods of production. The Court **ORDERS** Plaintiff not to issue subpoenas to the contracting parties, given Plaintiff's representation that the subpoenas seek only what Defendants state they are producing to the Plaintiff. Any deficiencies in Defendants' productions should be raised promptly by letter brief.

Given the late production of these documents, the depositions of Converse and Way, currently scheduled for March 14 and 15, shall be rescheduled. The close of the second phase of fact discovery is **CONTINUED** to May 2, 2019. The remaining dates in the case scheduling

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

order, ECF No. 102, are **VACATED**. The parties shall file a status report by May 9, 2019, with an update on the status of the case and proposals for the remaining case deadlines.

IT IS SO ORDERED.

Dated: March 11, 2019


THOMAS S. HIXSON
United States Magistrate Judge