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d. The motion shall be deemed submitted as of the date the reply brief is due.
No hearing will be held on the motion unless the court so orders at a later date.

e. Along with his motion, defendant shall proof that they served plaintiff the
Rand warning at the same time they served him with their motion. Failure to do so will result in
the summary dismissal of their motion.


4. All communications by the plaintiff with the court must be served on defendant, or
defendant’s counsel once counsel has been designated, by mailing a true copy of the document
to defendant or defendant’s counsel.

5. Discovery may be taken in accordance with the Federal Rules of Civil Procedure.
No further court order under Federal Rule of Civil Procedure 30(a)(2) or Local Rule 16-1 is
required before the parties may conduct discovery.

6. It is the plaintiff’s responsibility to prosecute this case. Plaintiff must keep the court
informed of any change of address and must comply with the court’s orders in a timely fashion.
Failure to do so may result in the dismissal of this action for failure to prosecute pursuant to
Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.

Dated: September 2, 2017.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE