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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VINCENT KEITH BELL,
Plaintiff,
v.
CITY AND COUNTY OF SAN
FRANCISCO, *et al.*,
Defendants.

Case No. [18-cv-01245-SI](#)

**ORDER RE: PLAINTIFF’S
ADMINISTRATIVE MOTION**

Re: Dkt. No. 33

Plaintiff has filed an administrative motion requesting that the Court prohibit the parties from seeking discovery before the April 10, 2020 initial case management conference, including particularly a deposition of plaintiff noticed for March 6, 2020. Plaintiff’s counsel notes that he entered his appearance on January 23, 2020, and states that he is out of the country until March 5. Plaintiff’s counsel has also attached an email from defense counsel in which defense counsel offered to cancel the March 6 deposition only on the condition that plaintiff’s counsel agree not to propound any discovery until plaintiff’s deposition concluded, an offer that plaintiff’s counsel characterizes as “unreasonable.”

Defendants oppose the motion, asserting *inter alia* that plaintiff’s counsel did not attempt to meet and confer regarding this dispute, and that the Court’s October 11, 2019 Order of Service authorized the commencement of discovery. Defendants accuse plaintiff’s counsel of stonewalling defendants’ diligent efforts to take plaintiff’s deposition, and defendants also state that they need to take plaintiff’s deposition before he is transferred to state custody, although it does not appear that any such transfer is currently scheduled.¹

¹ Ms. Bers’ declaration states that “Mr. Bell is the defendant in an ongoing criminal case

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In light of the procedural posture of this case, the Court finds that the appropriate course is to stay all discovery until the April 10 case management conference. The Court’s October 11, 2019 order was issued when plaintiff was proceeding *pro se* and detained at San Francisco County Jail, and the April 10 conference is the first scheduling conference that the Court will hold with counsel. At the April 10 case management conference the Court will set an expeditious schedule for discovery, including plaintiff’s deposition, as well as a schedule for dispositive motions and trial. In advance of the April 10 case management conference, the parties are directed to meet and confer in an effort to agree upon a protective order and a schedule for discovery, including a date for plaintiff’s deposition.

IT IS SO ORDERED.

Dated: February 27, 2020



SUSAN ILLSTON
United States District Judge

with a next hearing date on March 3, 2020[, and] If Mr. Bell is convicted of the pending charges, given their severity and the likely length of his sentence, I expect that he will be transferred from San Francisco’s custody into state custody.” Bers Decl. ¶ 3 (Dkt. No. 34-1).