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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA
6 EUREKA DIVISION
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8 JW GAMING DEVELOPMENT, LLC,

9 Plaintiff,

10 v.

11 ANGELA JAMES, et al.,

12 Defendants.

Case No. 18-cv-02669-WHO (RMI)

**SECOND ORDER RE:
ENFORCEMENT OF PRIOR
DISCOVERY ORDER**

Re: Dkt. Nos. 383, 384

United States District Court
Northern District of California

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14 On June 11, 2021, the undersigned entered an order (dkt. 357) granting Plaintiff's motion
15 to compel certain discovery. The original deadline for compliance was June 16, 2021, and for
16 various reasons, Defendant Pinoleville Pomo Nation ("PPN") has yet to comply with that order
17 and tender the discovery in question. Most recently, based on a joint representation (*see* dkt. 378,
18 379) that the parties were working towards a negotiated settlement of the outstanding issues in this
19 litigation, the court moved the latest iteration of PPN's deadline for compliance to July 28, 2021
20 (*see* dkt. 379). On that date, which has now come and gone, the parties had neither completed their
21 settlement negotiations, nor had PPN tendered the discovery in question. *See* Notices (dkt. 383,
22 384). Instead, PPN now contends that "settlement negotiations are on track and that a settlement
23 will be reached within the next four business days." *See* Notice (dkt. 384) at 3. The court will
24 construe PPN's Notice as a request for an extension of another four business days to the deadline
25 for producing the discovery in question, and subject to the following conditions, that request is
26 **GRANTED**. In light of PPN's expectation that the remaining issues in this case will be resolved
27 on or before Wednesday, August 4, 2021, the court will now adjust the deadline for producing the
28 discovery in question to 12:00 noon on Thursday, August 5, 2021; however, no further extensions

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will be granted.

The court will admonish PPN that during the time between now and August 5, 2021, PPN should undertake whatever efforts may be necessary to gather the documents in question, and to prepare the interrogatory responses in question, such that if the parties are unable to settle the remainder of their disputes between now and August 4th, the discovery in question can, and will, be tendered on or before 12:00 noon on August 5, 2021. This is the final time that the undersigned will modify this deadline or entertain any excuses for non-compliance. If the remaining issues in this case are not settled by August 4th, and the discovery in question is not tendered by 12:00 noon on August 5, 2021, the court will promptly arrange a show cause hearing for the determination and imposition of coercive sanctions in the nature of a daily fine that will begin to accrue on August 5, 2021, until such time as PPN finally complies with the court's previous orders regarding the discovery in question.

IT IS SO ORDERED.

Dated: July 29, 2021



ROBERT M. ILLMAN
United States Magistrate Judge