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28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FRANK SCHAFFNER,

No. C 09-00284 SBA (JCS)

Plaintiff(s),

**DISCOVERY ORDER [Docket 154]**

v.

CROWN EQUIPMENT CORPORATION,

Defendant(s).  
\_\_\_\_\_ /

On December 5, 2011, Plaintiff Frank Schaffner and Defendant Northwest Handling Systems filed a Joint Letter regarding Plaintiff's First Set of Requests for Production of Documents, Defendant's Second Set of Special Interrogatories, and Defendant's First Set of Requests for Production of Documents (the "Motion"). The Court finds the Motion appropriate for decision without oral argument.

Non-expert discovery in this case closed on November 18, 2011. Under Local Rule 37-3, all discovery motions on non-expert discovery were therefore due by November 25, 2011. Plaintiff did not submit his portion of the Joint Letter to Defendant until November 28, 2011, and despite receiving Defendant's response on December 1, 2011, did not submit the Joint Letter until December 5, 2011, ten (10) days past the deadline for discovery motions. This is particularly inexcusable when, as here, the parties met and conferred in September, and Plaintiff raised the issues again in early November.

Accordingly, the Motion is DENIED as untimely.

**United States District Court**  
For the Northern District of California

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IT IS SO ORDERED.

Dated: December 13, 2011

  
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JOSEPH C. SPERO  
United States Magistrate Judge