

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

TODD ASHKER, *et al.*,
Plaintiffs,

v.

MATHEW CATE, *et al.*,
Defendants.

Case No. [09-cv-05796-CW](#) (NJV)

**ORDER REQUIRING PARTIES TO
MEET AND CONFER IN PERSON ON
JUNE 19, 2013 RE PLAINTIFFS'
MOTION TO COMPEL; CONTINUING
HEARING ON MOTION TO COMPEL**

Re: Dkt. No. 207

Plaintiffs have filed motion to compel (Doc. No. 207), which is currently set to be heard on June 18, 2013. In their opposition to the motion, Defendants argue that Plaintiffs did not meet and confer regarding each disputed discovery request. Doc. No. 211 at 3-4. While Plaintiffs' counsel declares that he met and conferred with counsel for Defendants (Doc. No. 207 at 15), he has not complied fully with the court's Standing Order, which states that,

[i]n the event a discovery dispute arises, counsel for the party seeking discovery shall in good faith confer in person with counsel for the party failing to make that discovery in an attempt to resolve the dispute without the Court's involvement, as required by Federal Rule of Civil Procedure 37 and Civil L.R. 37-1(a). The meeting must be in person, except where good cause is shown why a telephone conference is adequate. A declaration setting forth these meet and confer efforts, and the final positions of each party, shall be included in the moving papers. The Court will not consider discovery motions unless the moving party has complied with Fed. R. Civ. P. 37 and Civil L.R. 37-1.

The court has observed the parties' relationship to be professional and generally cooperative, and believes that further meet and confer efforts between the parties could be fruitful. The parties will participate in a settlement conference with the undersigned on June 19, 2013 at 9:00 a.m. In the event the case does not settle on that day, the parties shall use the remainder of the day to meet and confer, in person, regarding the Plaintiffs' motion to compel. The court expects the parties to

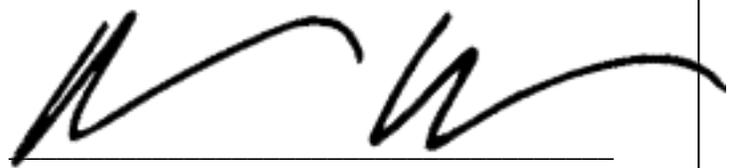
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

discuss, in person, each of the contested discovery requests. The undersigned shall be available to offer guidance during the meet and confer session. In the event the parties are unable to resolve all the issues on their own, the hearing on Plaintiffs' motion to compel is continued until June 25, 2013, at 1:00 p.m. The parties shall appear telephonically by dialing 1-888-684-8852 and entering 1868782# as the access code.

Plaintiffs' reply is due on May 31, 2013, and should be filed at that time. The parties may also file separate two-page letter briefs no later than noon on June 24, 2013 to update the court on the outcome of their meet and confer efforts and identify what issues need to be addressed at the June 25, 2013 hearing.

IT IS SO ORDERED.

Dated: May 29, 2013



NANDOR J. VADAS
United States Magistrate Judge