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UNITED STATES DISTRICT COURT
Northern District of California
Oakland Division

11 JAMES BLACKMON, et al., No. C 11-02853 SBA (LB)
12 Plaintiffs,
13 v.
14 GLENN TOBIAS, et al.,
15 Defendants
16
**NOTICE OF REFERRAL
ORDER RE DISCOVERY
PROCEDURES**

NOTICE OF REFERRAL AND ORDER RE DISCOVERY PROCEDURES

16 || TO ALL PARTIES AND COUNSEL OF RECORD:

17 On October 21, 2011, the parties submitted a letter brief to the undersigned in which they sought
18 judicial intervention to resolve a discovery dispute. Joint Letter, ECF No. 78. According to the
19 letter, Plaintiffs served a third-party subpoena on Bank of America that seeks certain banking
20 records. *Id.* at 1. Defendants objected to the subpoena's scope on, among other things, overbreadth,
21 relevance, and privacy grounds. *Id.* at 2-3. They also argued that discovery concerning the banking
22 records is premature until Judge Armstrong rules on their motion to dismiss, which is scheduled for
23 hearing on January 12, 2012. *Id.* at 2.

24 Yesterday, Judge Armstrong resolved the question whether discovery is premature: she ruled
25 that a stay on discovery was not warranted. 11/15/2011 Order, ECF No. 80. She also referred the
26 parties' remaining arguments (i.e., Defendants' challenges to the scope of the discovery sought) to
27 the undersigned. *Id.* at 2. In that regard, the court directs the parties to comply with the procedures
28 for addressing discovery disputes set forth in the undersigned's standing order (attached). Those

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1 procedures require, among other things, that if a meet-and-confer by other means does not resolve
2 the parties' dispute, lead counsel for the parties must meet and confer in person. If that procedure
3 does not resolve the disagreement, the parties must file a joint letter instead of a formal motion.
4 After reviewing the joint letter, the Court will evaluate whether further proceedings are necessary,
5 including any further briefing or argument.

6 This disposes of ECF Nos. 78, 79.

7 **IT IS SO ORDERED.**

8 Dated: November 16, 2011


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LAUREL BEELER
United States Magistrate Judge