UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

YVETTE FELARCA, ET AL.,

Plaintiff(s),

v.

ROBERT J. BIRGENEAU, ET AL.,

Defendant(s).

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No. C-11-05719 DMR

ORDER DENYING EX PARTE DISCOVERY LETTERS [DOCKET NOS. 338, 339, 340]

The court has received Plaintiffs' three ex parte discovery letters. [Docket Nos. 338, 339, 340.] The court's standing order on discovery, *see* Docket No. 227, requires the parties to meet and confer in person or by telephone prior to requesting judicial intervention for discovery disputes, and requires the parties to file a *joint* letter after the meeting and conferring if they are unable to resolve their disputes without judicial intervention. Plaintiffs' letters indicates that the parties are still in the process of meeting and conferring about the discovery disputes, and the ex parte letters are premature. Accordingly, the ex parte letters are **denied without prejudice.** The parties shall meet and confer regarding the disputes raised in the letter. If they remain unable to resolve these disputes without judicial intervention, the parties shall file a *single* joint discovery letter by **December 18, 2014**.

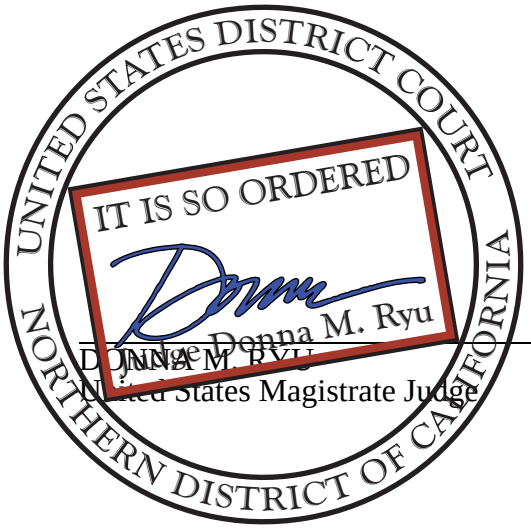
In Docket No. 440, Plaintiffs moves to compel the Alameda County Sheriff's Office ("ACSO") to respond to a subpoena. Plaintiffs state that counsel for ACSO (Lynn Stocker, who also

represents Defendants Garcia and Obichere) refuses to meet and confer regarding Plaintiffs' discovery requests. If this is true, then counsel for ACSO shall file a one-page letter by **December 11, 2014** setting forth counsel's explanation for her refusal to meet and confer. Otherwise, Plaintiffs and ACSO shall meet and confer regarding the disputes raised in Docket No. 440, and shall file a joint discovery letter by **December 18, 2014** if they are unable to resolve those disputes without judicial intervention.

The court also notes that the three letters filed by Plaintiffs were not properly categorized on the docket as motions. Any future discovery letters shall be filed on the court's ECF system under the Civil Events category of Motions and Related Filings > Motions - General > "Discovery Letter Brief."

IT IS SO ORDERED.

Dated: December 9, 2014



DONNA M. RYU
United States Magistrate Judge