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United States District Court
Northern District of California

DR. JAMES M. SWANSON,
Plaintiffs,
v.
ALZA CORPORATION,
Defendants.

Case No.: CV 12-04579-PJH (KAW)

ORDER TERMINATING DEFENDANT’S
REQUEST FOR TELEPHONIC
CONFERENCE; ORDER DENYING
PLAINTIFF’S REQUEST FOR
TELEPHONIC CONFERENCE

(Dkt. Nos. 110, 119 & 120)

On December 13, 2013, Defendant ALZA Corporation filed a declaration and request for a telephonic conference to enforce the Court’s meet and confer requirement. (Dkt. Nos. 110 & 119.) In the letter, ALZA informed the Court of its repeated, unsuccessful attempts to meet and confer with Plaintiff regarding the sufficiency of Plaintiff’s discovery responses. *Id.*

On December 17, 2013, Plaintiff filed a separate request for a telephonic conference. (Dkt. No. 120.) Plaintiff explained that “Dr. Swanson’s alleged delay in serving these supplemental responses (despite there being no discovery cutoff) can be attributed to ALZA’s tactics.” *Id.* at 2. Plaintiff also informed the Court that ALZA refuses Plaintiff’s requests to meet and confer regarding ALZA’s production of documents. *Id.* In the absence of a joint letter written by the parties, any dispute pertaining to ALZA’s document production is not properly before the Court.

On December 18, 2013, ALZA withdrew its request for a telephonic conference in light of Plaintiff’s willingness to meet and confer. (Dkt. No. 121.)

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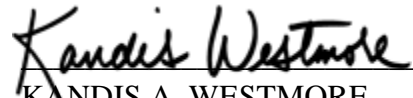
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Accordingly, the Court terminates ALZA’s request (Dkt. Nos. 110 & 119) as moot, and DENIES Plaintiff’s request for a telephonic conference (Dkt. No. 120) on the grounds that the parties have not met and conferred. The parties are ordered to meet and confer in good faith before seeking further court intervention.

IT IS SO ORDERED.

Dated: December 18, 2013


KANDIS A. WESTMORE
United States Magistrate Judge