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UNITED STATES DISTRICT COURT  
Northern District of California

CHRISTIAN RUIZ BAPTISTE,

No. C 12-05209 PJH (MEJ)

Plaintiff,

**DISCOVERY ORDER RE OCTOBER  
28, 2013 JOINT LETTER RE DUNN  
DEPOSITION**  
[Dkt. No. 51]

v.

LIDS; HAT WORLD INC, *et al.*,

Defendants.

On October 28, 2013, Plaintiff and Defendants Hat World, Inc. and Genesco, Inc., filed a joint letter regarding Angela Dunn's deposition, which Plaintiff had noticed on October 16, 2013 for October 21, 2013. Dkt. No. 56. As the parties note in their letter, Judge Hamilton extended the fact discovery cutoff to October 21, 2013. Dkt. No. 43. The fact that Plaintiff noticed Ms. Dunn's deposition for October 21 – the cutoff date – and Ms. Dunn was unable to appear for the deposition, presents a case management issue regarding the discovery cutoff, which Judge Hamilton has already addressed and which the undersigned lacks authority to modify.<sup>1</sup> Accordingly, the undersigned denies any relief sought in the joint letter.

**IT IS SO ORDERED.**

Dated: October 28, 2013

  
\_\_\_\_\_  
Maria-Elena James  
United States Magistrate Judge

<sup>1</sup> Defendant has represented to the Court that it does not intend to submit a declaration from Dunn in support of their motion for summary judgment. Jt. Ltr. at 6.