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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL GAREDAKIS, et al.,

Plaintiffs,

v.

BRENTWOOD UNION SCHOOL  
DISTRICT, et al.,

Defendants.

Case No. 14-cv-04799-PJH (DMR)

**ORDER DENYING DISCOVERY  
LETTERS AS UNTIMELY**

Re: Dkt. Nos. 155, 156, 157, 158

The parties filed four joint discovery letters on February 22, 2016. Docket Nos. 155, 156, 157, 158. The court denies all four letters as untimely.

The Hon. Phyllis J. Hamilton set a January 15, 2016 deadline for completion of fact discovery. Docket No. 75. The parties filed a stipulated request to extend the fact discovery cutoff to February 15, 2016. Docket No. 121. Chief Judge Hamilton explicitly denied this request, (Docket No. 122), but stated that the parties were free to come to any arrangement that they wished among themselves with regard to deadlines for fact and expert discovery. *Id.*

Under Civil Local Rule 37-3, no motions to compel may be filed more than seven days after the fact discovery cut-off. Discovery requests that call for responses or depositions after the applicable discovery cut-off are not enforceable, except by order of the Court for good cause shown. Civil L.R. 37-3.

The fact discovery motion deadline has long come and gone. By entering into an agreement to extend discovery beyond the deadline set by the court, the parties assumed the risk that late discovery would be unenforceable. Having consulted with Chief Judge Hamilton, the undersigned finds no good cause to extend the January 22, 2016 fact discovery motion deadline.

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The parties' discovery letters filed on February 22, 2016 are therefore denied as untimely.

**IT IS SO ORDERED.**

Dated: February 23, 2016



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Donna M. Ryu  
United States Magistrate Judge