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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DIANE PIEROTTI,
Plaintiff,

v.

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, and DOES 1-10,
Defendant.

Case No. [16-cv-02936-HSG](#) (MEJ)

DISCOVERY ORDER

Re: Dkt. No. 98, 99, and 100

Pending before the Court is Plaintiff Diane Pierotti's Letter (Dkt. No. 98), Defendant The Regents of The University of California's Letter (Dkt. No. 99), and Plaintiff's Reply Letter (Dkt. No. 100). All three letters pertain to Plaintiff's request for a telephonic conference for the purpose of compelling depositions. Having considered the parties' positions, relevant legal authority, and the record in this case, the Court issues the following order.

First, both parties' complete disregard for the undersigned's Standing Order Re: Discovery is noted. The Standing Order requires parties to meet and confer in person before bringing a discovery dispute to the Court's attention. *See* Standing Order ¶ 2. "If the parties are unable to meet and confer as directed above, . . . the moving party shall file a written request for a telephonic conference for the purpose of enforcing the Court's meet and confer requirement, or for the Court to fashion an alternative procedure." *Id.* ¶ 3. The parties did not meet and confer in person before filing their separate letters, file a written request for a telephonic conference to enforce the Court's meet and confer requirement, or otherwise seek to be excused from the in-person meet and confer requirement. "The Court will not excuse a party from the requisite in-person meeting unless good cause is shown." Standing Order ¶ 3. The parties have not even made an effort to show good cause exists. Instead, Plaintiff attempts to skip this procedure by

1 requesting a telephonic conference on the dispute itself.

2 Second, this Court has no authority to change the discovery cut-off requested by Plaintiff.
3 That authority is held by Judge Haywood S. Gilliam, Jr.

4 Finally, since both parties earlier stipulated to the seven depositions to be taken by Plaintiff
5 after Plaintiff was deposed, Defendant's objection that one of the named deponents is now
6 irrelevant is late, and therefore, waived. The undersigned hereby orders the parties to schedule the
7 remaining seven depositions so that they occur by **August 6, 2018**. The signatories of the letters
8 and—if different—lead trial counsel for the parties are ordered to meet and confer in-person in the
9 undersigned's jury room on **July 26, 2018, at 9:00 am**, to schedule the depositions. If the parties
10 resolve their dispute before the conference, they shall promptly inform the Court and the Court
11 shall vacate the conference.

12 **IT IS SO ORDERED.**

13
14 Dated: **July 23, 2018**

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16 _____
17 MARIA-ELENA JAMES
18 United States Magistrate Judge