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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RITA C HO,
Plaintiff,
v.
MARK PINSUKANJANA, et al.,
Defendants.

Case No. 17-cv-06520-PJH

**ORDER ADOPTING IN PART
MAGISTRATE JUDGE'S REPORT
AND RECOMMENDATION**

Re: Dkt. No. 122

United States District Court
Northern District of California

The court has reviewed Magistrate Judge Thomas S. Hixson's Report and Recommendation Re: Motion for Sanctions. Dkt. 122 (the "R&R"). The court has received no objections and the deadline to file such objections has now passed. The court finds the report correct, well-reasoned and thorough. The court **ADOPTS** the R&R **IN PART**, and **ORDERS** as follows:

- 1) The court **ADOPTS** the R&R's first recommendation and **DENIES** plaintiff's request for termination sanctions.
- 2) The court **ADOPTS** the R&R's second recommendation and extends the discovery deadline for the limited purpose of allowing defendants to fully comply with Judge Hixson's February 20, 2019 discovery order, see Dkt. 90, and to allow plaintiff to take defendants' supplemental depositions. Defendants **SHALL** produce all responsive documents no later than 10 days from the date of this order. Any supplemental depositions **SHALL** be completed no later than 30 days from the date of this order.
- 3) The court **ADOPTS** the R&R's third recommendation and **DENIES** plaintiff's request for evidentiary sanctions.
- 4) Defendants are hereby **WARNED** that any further failure to comply with their

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discovery obligations or court orders may result in the court awarding
evidentiary or case-dispositive sanctions.

- 5) The court ADOPTS the R&R's fourth recommendation and GRANTS plaintiff's request for attorneys' fees in the amount of \$12,275.25; and
- 6) The court DECLINES TO ADOPT the R&R's fifth recommendation. In light of the warning above and the possibility of further sanctions, including terminating sanctions, the court declines to hold defendants in contempt.

IT IS SO ORDERED.

Dated: June 7, 2019



PHYLLIS J. HAMILTON
United States District Judge