

1 September 14, 2010 rather than the noticed hearing date of September 21, 2010, or one week earlier.

2 Non-party CGI opposes the motion due to certain scheduling conflicts. The sole attorney for
3 defendants Mealing and Hasney is scheduled to appear in San Bernadino Superior Court on an
4 unrelated matter. He further requests that the motion to compel defendants Mealing and Hasney to
5 supplement their discovery responses now scheduled to be heard on September 7, 2010 be joined
6 with this motion so that both motions can be heard on September 21, 2010. Defendants' counsel
7 seeks to avoid the additional expense that would be incurred in making two trips from southern
8 California.

9 Civ. L.R. 6-3 states that a motion to enlarge or shorten time must:

- 10 (1) Set forth with particularity the reasons for the requested enlargement or
11 shortening of time;
- 12 (2) Describe the efforts the party has made to obtain a stipulation to the time
13 change;
- 14 (3) Identify the substantial harm or prejudice that would occur if the Court did not
15 change the time; and
- 16 (4) If the motion is to shorten time for the Court to hear a motion:
 - 17 (i) Describe the moving party's compliance with Civil L.R. 37-1(a),
18 where applicable, and
 - 19 (ii) Describe the nature of the underlying dispute that would be addressed
20 in the motion and briefly summarize the position each party had taken.
- 21 (5) Disclose all previous time modifications in the case, whether by stipulation or
22 Court Order;
- 23 (6) Describe the effect the requested time modification would have on the
24 schedule for the case.

25 Civ. L.R. 6-3(a).

26 Plaintiffs have not identified the substantial harm or prejudice that would occur if the court
27 did not change the time. Specifically, plaintiffs have not shown how documents from non-party CGI
28 are critical to the joint pretrial statement. Accordingly, plaintiffs' motion to shorten time is denied.
Additionally, both motions, including the motion to compel non-party CGI to produce documents
and the motion to compel defendants Mealing and Hasney to supplement their discovery responses,

1 shall be heard on September 21, 2010 at 10AM.

2 Plaintiffs may file a reply brief in support of their motion to compel non-party CGI to
3 produce documents no later than September 7, 2010.

4 IT IS SO ORDERED.

5 Dated: August 25, 2010


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7 PATRICIA V. TRUMBULL
United States Magistrate Judge

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