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** E-filed July 29, 2010 **

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARIA A. GARVIN, et al.,

No. C07-01571 HRL

Plaintiffs,

**ORDER GRANTING PLAINTIFFS'
MOTION TO COMPEL RESPONSES
TO INTERROGATORIES
PROPOUNDED ON DEFENDANT
GOLDEN HILLS ASSOCIATES, INC.**

v.

LINDA TRAN, et al.,

[Re: Docket No. 186]

Defendants.

On March 29, Plaintiffs served Defendant Golden Hills Associates, Inc. (“Golden Hills”) with special interrogatories. (Docket No. 187, Decl. of Jessica Fry, ¶ 2.) Not having heard from Golden Hills after over thirty days, counsel for Plaintiffs sent a meet-and-confer letter to Golden Hills’s counsel on May 5. (*Id.* at ¶ 3.) Plaintiffs again received no response, so they filed a motion to compel to which Golden Hills has failed to oppose. (*Id.*; Docket No. 186.) Pursuant to Civil Local Rule 7-1(b), the Court finds the matter suitable for determination without oral argument, and the August 3, 2010 hearing is vacated.

A party in a civil case may serve written interrogatories on another party, and the responding party must serve its answers and any objections within thirty days. FED. R. CIV. P. 33. Any untimely objection to an interrogatory is waived unless the court finds good cause for excuse. FED. R. CIV. P. 33(b)(4). If no response is made, the propounding party may apply for an order compelling a response. FED. R. CIV. P. 37(a)(3)(B)(iii).

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Golden Hills has provided no response whatsoever to Plaintiffs' special interrogatories (which were served over three months ago) or to Plaintiffs' meet-and-confer letter. Having waived any objections and having provided no explanation or opposition, Golden Hills should be compelled to respond. Within ten (10) days of this order, Golden Hills shall fully respond without objection to Plaintiffs' special interrogatories served on March 29.

IT IS SO ORDERED.

Dated: July 29, 2010



HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

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C07-01571 HRL Notice will be electronically mailed to:

Alisha Mei Yuk Louie	alouie@sideman.com
Annette D. Kirkham	annettek@lawfoundation.org, teresam@lawfoundation.org
Cindy Hamilton	hamiltonc@gtlaw.com, sandiferc@gtlaw.com, svlitdock@gtlaw.com
Jessica Lynn Fry	jessicaf@lawfoundation.org, nuemig@lawfoundation.org
Karen Rosenthal	rosenthalk@gtlaw.com, sandiferc@gtlaw.com, svlitdock@gtlaw.com
Kimberly Pederson	kimp@lawfoundation.org, teresam@lawfoundation.org
Kyra Ann Kazantzis	kyrak@lawfoundation.org
Leo B. Siegel	k9esq@flash.net
Michael E. Stone	mikeestone@yahoo.com
Shawn Robert Parr	shawn@parrlawgroup.com, donna@parrlawgroup.com
William Cornelius Last , Jr	wclast@lastlawfirm.com
William J. Goines	goinesw@gtlaw.com, sandiferc@gtlaw.com, svlitdock@gtlaw.com

Notice will be sent by other means to:

Raya Ghajar
1101 Salerno Drive
Campbell, CA 95008

Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.