UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

JUAN CARLOS CUELLAR, et al., Plaintiffs, v. ANTHONY FIDEL ALAMILLO., et al., Defendants.	Case No.: CV 09-04047 PSG **ORDER DENYING AS MOOT MOTION TO COMPEL AND DENYING MOTION FOR SANCTIONS** **(Re: Docket No. 53)**

On February 15, 2011, Plaintiffs filed a motion to compel discovery and for sanctions pursuant to Fed. R. Civ. P. 37. Pursuant to Civil Local Rule 7-1(b), the motion may be determined without oral argument and the hearing scheduled to be held on March 22, 2011 is vacated.

I. MOTION TO COMPEL

On March 21, 2011, Plaintiffs confirmed that Defendants provided discovery responses without objections after the motion to compel was filed. The motion to compel, therefore, is DENIED as MOOT.

II. MOTION FOR SANCTIONS

Under Civ. L.R. 7-8, "any motion for sanctions . . . must be separately filed." As Plaintiffs' motion for sanctions is included in its motion to compel, the motion for sanctions fails

to comply with the local rules. Plaintiffs' motion for sanctions is therefore DENIED.

Dated: March 21, 2011

PAUL S. GREWAL
United States Magistrate Judge