

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROBERT KALANI,

Plaintiff,

v.

STARBUCKS CORPORATION, a Washington
Corporation, dba STARBUCKS COFFEE;
BRENTINA, LLC, a California Limited
Company,

Defendants.

Case No.: C 13-CV-00734 LHK (PSG)

**ORDER RE PLAINTIFF'S REQUEST
FOR ADMINISTRATIVE RELIEF TO
COMPLY WITH THE
REQUIREMENTS OF GENERAL
ORDER 56**

(Re: Docket No. 9)

On June 17, 2013, Plaintiff Robert Kalani ("Kalani") filed a motion to compel Defendant Brentina, LLC ("Brentina") to comply with General Order 56, which requires parties in cases arising under Title III of the Americans with Disabilities Act of 1990 to serve initial disclosures seven days prior to site inspection. Although site inspection took place on June 4, 2013, Kalani claims that to this date Brentina has not served any initial disclosures.

Although Kalani's request is styled as an administrative motion, his motion to compel is anything but. Civil Local Rule 7-11 is reserved for "miscellaneous administrative matters, not otherwise governed by a federal statute, Federal or local rule or standing order of the assigned judge," including but not limited to "motions to exceed otherwise applicable page limitations or motions to file documents under seal." A motion for administrative relief "is not the appropriate

1 vehicle for resolution of the substantive arguments raised by the parties.”¹ A motion to compel is a
2 substantive issue not suitable for filing under the shortened time and briefing requirements of Civil
3 Local Rule 7-11.²

4 Despite this procedural violation, considering the relatively simple nature of this dispute
5 and in the interest of efficiency, Brentina is ordered to file a response explaining whether it has
6 complied with General Order 56 no later than June 26, 2013.

7 **IT IS SO ORDERED.**

8 Dated: June 20, 2013

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10 PAUL S. GREWAL
11 United States Magistrate Judge
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26 ¹ Hess v. Astrazeneca Pharmaceuticals, L.P., Case No. 06-0572 PJH, 2006 WL 2092068, at *1
(N.D. Cal. July 26, 2006).

27 ² See Civ. L.R. 7-11 (limiting motions and oppositions to five pages each and requiring oppositions
28 to be filed no later than four days after the filing of the motion).