

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FIRST FINANCIAL SECURITY, INC.,  
Plaintiff,  
v.  
FREEDOM EQUITY GROUP, LLC,  
Defendant.

Case No. 15-cv-01893-HRL

**ORDER DENYING REQUEST TO  
HOLD A CONFERENCE CALL AND  
COMPEL DISCOVERY**

Re: Dkt. No. 50

Plaintiff First Financial Security, Inc. (“Plaintiff”) filed a discovery letter in late December that asserts Defendant Freedom Equity Group, LLC (“Defendant”) has violated the undersigned’s standing order regarding civil discovery disputes by refusing to attempt to resolve outstanding discovery disputes. Dkt. No. 50 at 2. Plaintiff asserts: (1) Defendant’s counsel underwent surgery; (2) the surgery delayed Defendant’s participation in the resolution of outstanding discovery disputes; and (3) the dispute-resolution process picked up again in early December, but then Defendant’s counsel altogether stopped responding to emails. Plaintiff therefore requests that the court hold a conference call with the parties in order to compel the production of discovery materials that Plaintiff has requested but not yet received.

Defendant’s counsel responds: (1) he recovered more slowly than expected from his surgery; (2) he was debilitated by pneumonia for about one week, in early December, shortly after he had recovered from the surgery; (3) his time was subsequently occupied by the holiday season and by a pre-planned, pre-paid vacation with his family; (4) he promptly, while still on vacation, responded to Plaintiff’s discovery letter by calling one of Plaintiff’s lawyers in order to make plans for how they would discuss and resolve the outstanding discovery disputes; and (5) Defendant’s counsel believes the parties can and will resolve the outstanding discovery disputes in the near future without judicial intervention.


United States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

The undersigned is presently satisfied that Defendant’s counsel has complied with the undersigned’s standing order and that judicial intervention is unnecessary at this time. The court therefore denies Plaintiff’s request for the court to hold a teleconference and compel the production of discovery materials. Plaintiff may, however, seek future judicial intervention if the problems described in Plaintiff’s discovery letter persist.

**IT IS SO ORDERED.**

Dated: 1/20/16



---

HOWARD R. LLOYD  
United States Magistrate Judge