

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

STACY GUTHMANN,
Plaintiff,
v.
CLASSIC RESIDENCE MANAGEMENT
LIMITED PARTNERSHIP, et al.,
Defendants.

Case No. [5:16-cv-02680-LHK](#) (HRL)

**INTERIM ORDER RE DISCOVERY
DISPUTE JOINT REPORT NO. 1**

Re: Dkt. No. 32

This afternoon, plaintiff filed Discovery Dispute Joint Report (DDJR) No. 1, jointly with third-party Santa Clara County Adult Protective Services Program (APS), in which they dispute whether plaintiff should obtain discovery of a report subpoenaed from APS over three months ago.

The DDJR, which states that plaintiff wants the disputed document “reasonably before” depositions scheduled to begin on April 18, was filed in apparent disregard of Section 1 of this court’s Standing Order re Civil Discovery Disputes (Standing Order). That provision admonishes parties and counsel “not to allow discovery disagreements to drag on unresolved until some important looming deadline forces them into action. Because of the press of its other business, the court may not be able to give the dispute its attention with the same celerity that some or all of the parties think is necessary.”

Additionally, the DDJR indicates that the in-person meet-and-confer occurred on March

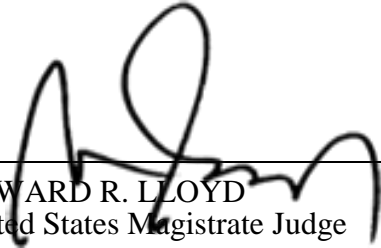
1 16, 2017. The DDJR therefore should have been filed no later than March 30, 2017. (Standing
2 Order, Section D). It was not filed until over a week later on April 7. Moreover, this court simply
3 cannot accommodate the request that the undersigned convene an immediate in camera review
4 meeting at the courthouse “before April 7, 2017,” given that this DDJR was filed just this
5 afternoon.

6 Despite these deficiencies,¹ this court will review the one-page document DDJR 1
7 indicates is the only one at issue. (In view of the stated nature of APS’s objections, this court
8 declines to simply order the document produced now, as plaintiff requests.) County counsel shall
9 promptly submit the document for this court’s in camera review, along with, if County counsel
10 thinks it’s important for the court to consider, a cover letter explaining (if it is the case) why APS
11 does not believe that production subject to a protective order would be adequate.

12 This court will endeavor to review the document and issue its decision as promptly as
13 possible. But, given that plaintiff filed this DDJR late and at the eleventh hour, and in view of this
14 court’s current trial calendar, the court cannot give absolute assurances that a decision will be
15 rendered before April 18.

16 SO ORDERED.

17 Dated: April 7, 2017

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HOWARD R. LLOYD
United States Magistrate Judge

1 Parties and counsel are warned that if there is continued future noncompliance with this court’s
Standing Order, they will be required to appear in person and show cause why they should not be
sanctioned.