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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

IN RE: MIDLAND CREDIT  
MANAGEMENT, INC.,  
TELEPHONE CONSUMER  
PROTECTION ACT LITIGATION

Case No.: 11-md-2286-MMA-MDD  
Member Case Nos.: 15-cv-1479-MMA-  
MDD

**ORDER STRIKING PLAINTIFF  
BASHAM’S DISCOVERY  
REQUEST**

**[ECF No. 48]**

Plaintiff Angela D. Basham (“Basham”), in member case number 15-cv-1479-MMA-MDD, filed with this Court her “First Set of MDL Discovery Requests” propounded against Midland.<sup>1</sup> (ECF No. 48).

Pursuant to Federal Rule of Civil Procedure 34(a), “[a] party may serve on any other party a request” to produce documents. Fed. R. Civ. P. 34(a). Federal Rule of Civil Procedure 5 mandates that requests for documents “must not be filed” with the Court “until they are used in the proceeding or

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<sup>1</sup> The Court refers to all Defendants in this case as “Midland.”

1 the court orders filing.” Fed. R. Civ. P. 5(d)(1). In addition, under the Civil  
2 Local Rules of Court,

3 unless filing is ordered by the court on motion of a party or upon its  
4 own motion, interrogatories, requests for admission, requests for  
5 productions and the answers thereto need not be filed unless and  
6 until they are used in proceedings.

7 *See* S.D. Cal. Civ. L.R. §§ 33.1(c) & 36.1(c).

8 Accordingly, the Court **DENIES** Plaintiff Basham’s motion and Orders  
9 that Plaintiff’s First Set of MDL Discovery Requests be **STRICKEN** from the  
10 record.

**IT IS SO ORDERED.**

11 Dated: June 24, 2020



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13 Hon. Mitchell D. Dembin  
14 United States Magistrate Judge  
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