

1  
2  
3  
4  
5  
6  
7  
8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
10

11 ATLEY HENRY, LAURA HENRY,  
12 Plaintiff,  
13 v.  
14 OCWEN LOAN SERVICING, LLC, et  
15 al.,  
16 Defendants.

Case No.: 3:17-cv-688-JM-NLS

**ORDER**

**(1) DENYING AS MOOT JOINT  
MOTION FOR  
DETERMINATION OF  
DISCOVERY DISPUTE NO. 1  
[ECF No. 38]; and**

**(2) GRANTING IN PART JOINT  
MOTION TO CONTINUE  
DISCOVERY DISPUTE NO. 1  
[ECF No. 45]**

17  
18  
19  
20  
21  
22 Before the Court is the parties' Joint Stipulation to Continue Joint Motion for  
23 Determination of Discovery Dispute No. 1. ECF No. 45. In light of additional  
24 documents that were located and the pending production which will alter the substance of  
25 Discovery Dispute No. 1, the parties request the Court defer ruling and grant additional  
26 time to submit a "supplemental joint statement" on or before April 27, 2018. *Id.*

27 Having reviewed the Discovery Dispute No. 1, the Court finds it contains  
28 arguments which have been addressed by the entry of a protective order (*see* ECF No. 44)

1 and are otherwise rendered moot or modified so significantly as to require revised  
2 briefing due to the location and pending production of additional documents.

3 In light of these circumstances, the Court finds it appropriate to:

- 4 1. **DENY AS MOOT** the Joint Motion for Determination of Discovery Dispute  
5 No. 1;
- 6 2. **GRANT** an extension of time until April 27, 2018, for the parties to submit a  
7 Discovery Dispute regarding Request for Production of Documents (Set One)  
8 propounded by Laura Henry. This Discovery Dispute, if it cannot be resolved  
9 by the parties following production of documents, shall be filed as Joint Motion  
10 for Determination of Discovery Dispute No. 3 (or next in order) and must  
11 remove any arguments previously addressed by the Court in any Order.
- 12 3. The Court will rule on Joint Motion for Determination of Discovery Dispute  
13 No. 3 at its earliest convenience.

14 **IT IS SO ORDERED.**

15 Dated: April 16, 2018



Hon. Nita L. Stormes  
United States Magistrate Judge