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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 SKAZZI3 CAPITAL LIMITED,

12 Petitioner,

13 v.

14 PATHWAY GENOMICS  
15 CORPORATION,

16 Respondent.  
17  
18

Case No.: 18cv317-BEN(KSC)

**ORDER GRANTING PETITIONER'S  
EX PARTE APPLICATION TO FILE  
A MOTION TO COMPEL [Doc. No.  
60];**

**ORDER SETTING A DEADLINE  
FOR RESPONDENT TO OPPOSE/  
RESPOND TO PLAINTIFF'S  
MOTION TO COMPEL [Doc. No. 61.]**

19 On February 8, 2018, petitioner SKAZZI3 Capital Limited filed a Petition to  
20 Enforce Arbitration Award against respondent Pathway Genomics Corporation. [Doc.  
21 No. 1.] The Petition seeks to enforce a final judgment against respondent that was  
22 entered by the District Court on December 26, 2018. [Doc. No. 60, at p. 2.]  
23

24 Before the Court is petitioner's *Ex Parte* Application to File a Motion to Compel  
25 Discovery [Doc. No. 60] and petitioner's Notice of Lodgment, including a proposed  
26 Motion to Compel [Doc. No. 61-1, at pp. 1-10]. In the *Ex Parte* Application, petitioner  
27 requests an order allowing the filing of a Motion to Compel. The reason for the request is  
28 that respondent only served objections to all of petitioner's interrogatories and document

1 requests without providing any substantive responses and then failed to cooperate in the  
2 meet and confer process despite several attempts by petitioner. [Doc. No. 60, at pp. 2-4.]  
3 The *Ex Parte* Application requests that the Court permit petitioner to file a Motion to  
4 Compel even though it has not been able to satisfy the meet and confer requirements.  
5 [Id.]

6 Good cause appearing, the Court finds that petitioner's *Ex Parte* Application to file  
7 a Motion to Compel must be GRANTED. The Motion to Compel submitted with  
8 plaintiff's Notice of Lodgment, as well as the accompanying Declaration and exhibits  
9 [Doc. Nos. 61-1, 61-2, and 61-3], are deemed to have been filed as of December 23,  
10 2019, the date they were lodged with the Court. Accordingly,

11 IT IS HEREBY ORDERED THAT:

- 12 1. Respondent's objections to petitioner's discovery requests are overruled.
- 13 2. No later than January 31, 2020, respondent must either file and serve an  
14 opposition to petitioner's Motion to Compel or must provide the Court with proof that  
15 respondent served petitioner with substantive responses to petitioner's Interrogatories  
16 (Set One) and petitioner's Request for Production of Documents (Set One).

17 IT IS SO ORDERED.

18 Dated: January 7, 2020

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21 Hon. Karen S. Crawford  
22 United States Magistrate Judge  
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