

1 on any dispositive motions that may be filed.

2 **B. Motions to Compel Depositions of Mr. Awad & 30(b)(6) Witness**

3 This Court has already granted this request. ECF No. 342, 362. As a result, this part of
4 the motion is denied as moot.

5 Defendant is ordered to submit six (6) separate proposed dates for the deposition of Mr.
6 Awad and the deposition of Defendant’s designated Rule 30(b)(6) witness between January 2,
7 2024, and February 9, 2024. One of those days must be a Monday. One of those days must be a
8 Friday. Each proposed date must take place during a different week. The proposed dates must be
9 communicated to Plaintiffs by December 6, 2023.

10 Plaintiffs are ordered to confirm one of those dates for each deposition no later than
11 December 13, 2023.

12 In the event Defendant fails to provide such deposition dates, or in the event Plaintiffs fail
13 to confirm them, this Court will issue an Order to Show Cause why sanctions should not be
14 imposed under LR IA 11-8 and/or Fed. R. Civ. P. 11(f) and/or Fed. R. Civ. P. 37(b)(2).
15 Lastly, the parties should take note that this Court is astounded by their well-established pattern
16 of unprofessionalism toward each other and, should another motion be filed based on their
17 inability to communicate, this Court is prepared to issue an Order to Show Cause why they
18 should not be sanctioned accordingly. LR IA 11-8(d).

19 **C. Fees**

20 Plaintiffs seek fees under Fed. R. Civ. P. 37(a) and/or (b) and/or Fed. R. Civ. P. 16(f).
21 First, Plaintiffs filed a motion to compel under Fed. R. Civ. P. 37(a)—not a motion for failure to
22 comply with a court’s order under Fed. R. Civ. P. 37(b) or 16(f). Thus, this Court will not impose
23 fees under either of those rules.

24 Next, the motion under Fed. R. Civ. P. 37(a) was denied as moot. Thus, fees would be
25 improper.

26 **II. CONCLUSION**

27 **IT IS ORDERED** that Plaintiffs’ Motion to Compel at ECF No. 363 is DENIED as


1 moot. The parties are to provide their respective availability for the depositions consistent with
2 this Order.

3 **IT IS FURTHER ORDERED** that the request to extend deadlines is GRANTED
4 consistent with this Order.

5 **IT IS FURTHER ORDERED** that the request for fees is DENIED.

6 **IT IS FURTHER ORDERED** that the Clerk is directed to STRIKE Defendant's
7 response at ECF No. 365.

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9 DATED this 30th day of November 2023.

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13 BRENDA WEKSLER
14 UNITED STATES MAGISTRATE JUDGE
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