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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMES BURKE, an individual,
by and through his Guardian Ad Litem;
ALYSSA BURKE, an individual,

Plaintiff,

vs.

USF REDDAWAY, INC., a corporation,

Defendant.

3:13-cv-00017-LRH-WGC

ORDER

Before the court is Defendant’s Motion to Quash Subpoena served on Dr. Jeffrey Sanders. (Docs. # 60, # 61.)¹

On December 11, 2013, Defendant filed a Motion to Quash three subpoenas served by Plaintiff on medical providers seeking vision records of Steve Kytle, the non-party driver of the truck involved in the accident that is the subject of this litigation. (Doc. # 49 (motion) and Doc. # 50 (memorandum of law in support).) It subsequently re-filed the motion on December 18, 2013, styled as an emergency motion. (Doc. # 52.) Plaintiff filed a response indicating that despite the subpoena compliance date of December 18, 2013, the subpoenaed medical providers were on notice regarding Defendants’ motion and if any records were produced, Plaintiff would hold them without reviewing the records pending the court’s disposition of the motion. (Doc. # 53.)

In light of Plaintiff’s representation, on December 19, 2013, the court issued an order staying

¹Refers to court’s docket number. Counsel for Defendant is advised that it is not necessary to separately file the motion and memorandum of points and authorities in support of the motion; the documents may be filed together so that they are reflected in one docket entry.

1 compliance with the subpoenas pending further order of the court and allowing the motion to proceed
2 with the normal briefing schedule provided in the Local Rules. (Doc. # 55.) The court advised the
3 parties that a hearing would be scheduled when briefing was completed, and if the discovery deadlines
4 needed to be adjusted as a result of the court's ruling on the motion to quash, the court would address
5 that topic at the hearing. (*Id.*)

6 Since that time, briefing on Defendant's motion has been completed (*see* Docs. # 56, # 57, #
7 59), and the court set the matter to be heard on Tuesday January 14, 2014 at 1:30 p.m. (*See* Doc. # 58.)

8 Today, Defendant filed another motion to quash (Docs. # 60, # 61) a subpoena served on
9 Jeffrey Sanders, M.D., seeking any and all medical records of third-party driver Steve Kytle. In the
10 interests of judicial economy and in order to conserve the time and resources parties, the court hereby
11 sets briefing and the hearing of Defendant's second motion to quash (Docs. # 60, # 61) on shortened
12 time so that the motion will be heard with Defendant's other pending motion to quash.

13 Plaintiff is ordered to file any response to Defendant's motion (Doc. # 60) **on or before 12:00**
14 **p.m. on Monday, January 13, 2014.** Counsel shall provide chambers with a courtesy copy of this
15 document by the same deadline.

16 Defendant shall have up to and including **10:00 a.m. on Tuesday, January 14, 2014,** to file
17 any reply memoranda. Counsel shall provide chambers with a courtesy copy of this document by the
18 same deadline.

19 If counsel wish to e-mail the courtesy copies, they may do so, but are instructed to contact
20 chambers at 775-686-5858 to obtain the appropriate e-mail address and should make sure that the
21 documents are e-mailed to chambers by the deadlines noted above.

22 Dr. Sanders' compliance with the subpoena is **STAYED** pending resolution of Defendant's
23 motion.

24 **IT IS SO ORDERED.**

25 **DATED: January 9, 2014.**

26 
27 **WILLIAM G. COBB**
28 **UNITED STATES MAGISTRATE JUDGE**