IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

COMMUNICATION MANAGEMENT SERVICES, LLC, et al.,

3:12-cv-01923-BR

Plaintiffs,

ORDER

v.

BROOKS L. HARLOW, Attorney at Law,

Defendant.

BROWN, Judge.

This matter comes before the Court on the parties' Joint Status Report (#91). Having fully considered the parties' respective positions set out in the Joint Status Report, the Court makes the following Order:

1. The Court **OVERRULES** Plaintiffs' objection to Defendant's requested discovery on the basis that this Court lacks subject-matter jurisdiction. The Court has already found a genuine dispute of material fact presently exists as to whether

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Plaintiffs' claims are ripe, and, accordingly, the Court has directed the parties to proceed with discovery and rejected Plaintiffs' contentions to the contrary. See Opin. and Order (#63); Order (#75). The Court may deem any further refusal by Plaintiffs to provide discovery on this basis to be frivolous.

2. Issues related to waiver of attorney-client privilege must be raised in a formal discovery motion. Accordingly, consistent with the Court's previously-set case-management deadlines and after meaningful conferral, any party may raise the alleged waiver of attorney-client privilege in a formal discovery motion no later than May 22, 2015.

3. Because Plaintiffs have not identified any specific discovery requests that Plaintiffs contend are unduly burdensome, the Court **OVERRULES** Plaintiffs' objection on this basis.

IT IS SO ORDERED.

DATED this 23rd day of April, 2015.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge