

1  
2  
3  
4  
5  
6  
7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 EQUAL EMPLOYMENT  
11 OPPORTUNITY COMMISSION,

Plaintiff,

v.

13 THE CHEESECAKE FACTORY,  
14 INC., et al.,

Defendants.

CASE NO. C16-1942JLR

ORDER STRIKING MOTION TO  
COMPEL DISCOVERY

16 Before the court is Defendants' motion to compel Plaintiff Equal Employment  
17 Opportunity Commission ("EEOC") to respond to Defendants' discovery requests. (Mot.  
18 (Dkt. # 19).) Defendants filed that motion without first requesting a conference with the  
19 court. (See Dkt.) The motion therefore contravenes the court's March 17, 2017,  
20 scheduling order. (See Sched. Order (Dkt. # 14) at 2 (citing Fed. R. Civ. P.  
21 16(b)(3)(B)(v)) ("[P]ursuant to Federal Rule of Civil Procedure 16, the Court 'direct[s]  
22 that before moving for an order relating to discovery, the movant must request a

1 conference with the court' by notifying [the courtroom deputy] . . . ." (second alteration  
2 in original)); *see also* Fed. R. Civ. P. 16(b)(3)(B)(v) (permitting the court, in its  
3 scheduling order, to "direct that before moving for an order relating to discovery, the  
4 movant must request a conference with the court"). The court therefore STRIKES  
5 Defendants' motion to compel (Dkt. # 19) without prejudice to refiling the motion in a  
6 manner that comports with the court's scheduling order.

7 Dated this 14th day of July, 2017.

8  
9 

10 JAMES L. ROBART  
11 United States District Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22