UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DENIKA TERRY, et al., Plaintiffs, v. WASATCH ADVANTAGE GROUP, et al., Defendants.	No. 2:15-cv-0799 KJM DB ORDER

On March 10, 2023, and March 31, 2023, plaintiffs filed motions to compel. (ECF Nos. 292 & 296.) The motions are noticed for hearing before the undersigned on May 19, 2023, pursuant to Local Rule 302(c)(1). (ECF Nos. 295-97.) Pursuant to Local Rule 251, the parties have filed, multiple, Joint Statements. (ECF Nos. 300, 303 & 305.)

The parties are advised that filing Joint Statements well in advance of the hearing of the motion to compel does not comply with the spirt of the undersigned's Standard Information regarding discovery disputes. See http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-judge-deborah-barnes-db. In this regard, if the parties dispute is such that the expenditure of judicial resources is necessary, the undersigned anticipates that the parties will have engaged in continual meet and confer efforts until close to the deadline for filing the Joint Statement.

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Likewise, filing multiple Joint Statements with respect to a single motion, wastes judicial resources. For example, here the parties filed a Joint Statement on April 7, 2023 with respect to plaintiff's request for production of documents, set thirteen. (ECF No. 300.) After the undersigned had already commenced review of that document in preparation for the upcoming hearing, the parties filed a second Joint Statement with respect to plaintiff's request for production of documents, set thirteen on May 12, 2023. (ECF No. 305.) Therein, the parties explain that after the filing of the first Joint Statement, the parties engaged in further meet and confer efforts and "[a]s a result, the current disagreement has narrowed from the Parties' April 7 Joint Statement." (Id. at 5.)

Moreover, noticing multiple discovery motions for hearing on the same day violates the spirit of the undersigned's page limitation on Joint Statements. Going forward, the parties shall not notice for hearing more than one discovery dispute on a single available law and motion date.

Finally, review of the Joint Statements finds that defendants repeatedly state their lack of opposition in various ways, such as that they "do not oppose [plaintiff's] motion," (ECF No. 303 at 7), that plaintiff's "Motion is not opposed" as to a specific discovery request, (ECF No. 300 at 8), that the defendants "do not oppose the requested order," (id. at 16), or that the defendants "are in the process of producing responsive documents and intend to do so prior to the upcoming depositions of Defendants' Person Most Knowledgeable." (ECF No. 305 at 8.) Indeed, the undersigned could not locate a place in any of the Joint Statements where the defendants opposed plaintiffs' requested discovery. The undersigned, therefore, finds these matters suitable for resolution without a hearing pursuant to Local Rule 230 and that plaintiffs' unopposed motions should be granted.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiffs' March 10, 2023 motion to compel (ECF No. 292) is granted;
2. Plaintiffs' March 31, 2023 motion to compel (ECF No. 296) is granted;

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3. Defendants shall produce responsive documents within seven days of the date of this order; and

4. The May 19, 2023 hearing of plaintiffs' motions is vacated.

Dated: May 15, 2023

DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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