UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

CALAMCO, Plaintiff and Counterclaim Defendant, v. J.R. SIMPLOT COMPANY, Defendant and Counterclaimant.	Case No. 2:21-cv-01201-KJM-CSK ORDER DENYING DEFENDANT'S MOTION TO RETAIN CONFIDENTIALITY AND PLAINTIFF'S MOTION TO COMPEL (ECF No. 145)

On May 20, 2025 Defendant and Counterclaimant J.R. Simplot Company filed a motion to retain confidentiality and Plaintiff and Counterclaim Defendant Calamco filed a cross-motion to compel.[1] (ECF No. 145.) This motion was set for hearing before the undersigned on May 27, 2025. This matter is submitted on the papers without oral argument, and the May 27, 2025 hearing is VACATED.

On April 1, 2025, District Judge Kimberly Mueller denied the parties' stipulated request to extend all case deadlines in the scheduling order by 120 days. (ECF No. 139.) All discovery deadlines have now passed, with the last deadline (the expert discovery deadline) being April 23, 2025. (ECF No. 132; *see* ECF Nos. 74, 121, 128,

[1] This matter proceeds before the undersigned pursuant to 28 U.S.C. § 636, Fed. R. Civ. P. 72, and Local Rule 302(c).

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134, 136.) In the Court's initial Standing Scheduling Order (ECF No. 74), the discovery deadlines were for the "completion of discovery." *Id.* "Completed" is defined as "mean[ing] that all discovery shall have been conducted so that all depositions have been taken and *any disputes relative to discovery shall have been resolved by appropriate order if necessary* and, where discovery has been ordered, the order had been obeyed." *Id.* (emphasis added). The parties filed this motion on May 20, 2025, which is well beyond the last deadline for completing discovery on April 23, 2025. Accordingly, the parties' motions are untimely.

IT IS HEREBY ORDERED that Defendant and Counterclaimant J.R. Simplot Company's motion to retain confidentiality (ECF No. 145) is DENIED and Plaintiff and Counterclaim Defendant Calamco's cross-motion to compel (ECF No. 145) is DENIED.

Dated: May 22, 2025

CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE

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