UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ESTATE OF SALVADOR ROMERO, et al., Plaintiffs, v. COUNTY OF SOLANO, et al., Defendants.	No. 2:23-cv-00523 JAM AC ORDER

Before the court is plaintiff's motion to compel discovery (ECF No. 16), filed October 19, 2023, with a joint statement filed on November 15, 2023. ECF No. 21. The motion was taken under submission with a hearing date of November 29, 2023. ECF No. 20. According to the joint statement, defendant changed its position at the last minute and the substance of the discovery dispute is now moot. ECF No. 21 at 2. However, rather than withdraw the motion, plaintiff moved forward with a 24-page joint statement arguing it "is entitled to expenses: (1) for obtaining production of the 40-pages of previously-withheld documents which CFMG produced after this motion was filed; and (2) for obtaining support for the 12-pages of currently-withheld documents which CFMG produced after this motion was filed." ECF No. 21 at 2-3.

The motion to compel discovery (ECF No. 16) is DENIED as MOOT. The parties shall bear their own fees and costs with respect to this entirely moot discovery dispute. The parties are

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cautioned that, as they continue to proceed with discovery, the court will look with strong disfavor upon both the pursuit of moot motions, which are a waste of judicial resources, and discovery gamesmanship that necessitates unnecessary motions practice. The court will issue sanctions for any such conduct in the future as it finds necessary and appropriate.

IT IS SO ORDERED.

DATED: December 18, 2023

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE