UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

STANLEY ZHONG, et al., Plaintiff, v. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, et al., Defendants.	Case No. 2:25-cv-00495-DAD-CSK ORDER DENYING PLAINTIFF'S MOTION FOR SANCTIONS (ECF No. 39)

Pending before the Court is Plaintiff Nan Zhong's motion for sanctions.[1] (ECF No. 39.) On September 24, 2025, the motion was taken under submission without appearance and the October 17, 2025 hearing on the motion was vacated. 9/23/2025 Order (ECF No. 46). For the reasons that follow, the Court DENIES Plaintiff Nan Zhong's motion for sanctions.

This action proceeds on Plaintiffs Stanley Zhong and Nan Zhong's First Amended Complaint ("FAC") filed on July 29, 2025. FAC (ECF No. 30). The deadline for Defendants United States Department of Education and Linda McMahon's response to the FAC has been stayed pending further order of the Court pursuant to the parties' stipulation. 10/10/2025 Order (ECF No. 50). The deadline for the University of California

[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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Defendants has been vacated and is to be reset for a date either when Plaintiffs' counsel appears in this matter or after sufficient time has been provided to Plaintiffs to retain counsel. 10/7/2025 Order (ECF No. 48). Plaintiffs have retained counsel, and counsel filed a notice of appearance on November 10, 2025. (ECF No. 53.) Accordingly, no Defendant has filed a response to Plaintiffs' FAC to date.

Here, the discovery stage, including the Rule 26(f) conference, initial disclosures, and any discovery requests, has not yet begun. *See* Fed. R. Civ. P. 26(d)(1) ("A party may not seek discovery from any source before the parties have conferred as required by Rule 26(f), except in a proceeding exempted from initial disclosure under Rule 26(a)(1)(B), or when authorized by these rules, by stipulation, or by court order."). Plaintiff Nan Zhong's motion for sanctions is therefore premature because discovery has not yet commenced. Accordingly, Plaintiff Nan Zhong's motion for sanctions (ECF No. 39) is DENIED as premature.

IT IS SO ORDERED.

Dated: November 13, 2025

CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE

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