

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ISIAH MURRIETTA-GOLDING, et al.,

Case No. 1:18-cv-00314-AWI-SKO

Plaintiffs,

**ORDER RE: PLAINTIFF CHRISTINA
LOPEZ'S MOTION FOR PROTECTIVE
ORDER AND EX PARTE
APPLICATION FOR ORDER
SHORTENING TIME**

v.

CITY OF FRESNO, et al.,

Defendants.

I. INTRODUCTION

This matter comes before the Court on Plaintiff Christina Lopez's "Motion for Protective Order" and "Ex Parte Application for Order Shortening Time" filed on June 26, 2020. (Doc. 66.) Defendant City of Fresno filed an opposition on June 29, 2020. (Doc. 69.) For the reasons set forth below, Plaintiff's "Ex Parte Application for Order Shortening Time" is DENIED and the Court SETS Plaintiff's "Motion for Protective Order" for hearing pursuant to Local Rule 251.

II. DISCUSSION

Plaintiff's motion states that Defendants have filed a petition in the juvenile delinquency division of Fresno County Superior Court seeking non-party Israel Murrietta's juvenile court records, and seeks a protective order from this Court "prohibiting Defendants from further seeking or receiving Israel Murrietta's juvenile court files and transcripts." (Doc. 66 at 2, 13.)

As an initial matter, Plaintiff's motion does not include an affidavit setting forth "a satisfactory explanation . . . for the failure of counsel to obtain a stipulation for the issuance of" an order shortening time as required by Local Rule 144(e). Further, Plaintiff's purported justification

1 for ex parte treatment of the motion—that the Fresno County Superior Court “may issue a ruling
2 at any time” on Defendants’ petition for the juvenile records, (Doc. 66 at 2)—is insufficient and
3 Plaintiff has not met her burden of “showing a satisfactory explanation for the need for the issuance
4 of” an order shortening time. *See* E.D. Cal. L.R. 144(e). Because the motion requests that the
5 Court issue a protective order under Fed. R. Civ. P. 26(c) as to certain purported discovery
6 material, the Court deems Plaintiff’s motion filed under Local Rule 251 and will set the motion
7 for hearing on July 22, 2020, at 9:30 a.m.

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III. CONCLUSION AND ORDER

Accordingly, IT IS ORDERED:

1. Plaintiff’s “Ex Parte Application for Order Shortening Time” is DENIED.

2. The Court SETS Plaintiff’s “Motion for Protective Order,” (Doc. 66), for hearing
on July 22, 2020, at 9:30 a.m. in Courtroom 7 (SKO) before Magistrate Judge Sheila K. Oberto.
The parties SHALL comply with Local Rule 251 and file their “Joint Statement re Discovery
Disagreement” by no later than July 15, 2020. *See* E.D. Cal. L.R. 251(a)–(c).

IT IS SO ORDERED.

Dated: June 30, 2020

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE