

**INFORMAL DISCOVERY DISPUTES PROCEDURES FOR
MAGISTRATE JUDGE STANLEY A. BOONE**

United States District Court - Eastern District of California
2500 Tulare Street, Courtroom 9, 6th Floor
Fresno, California 93721

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Video Conference Number: Contact Courtroom Deputy

Upon the stipulation of the involved parties, Judge Boone will resolve discovery disputes outside the formal Local Rule 251 procedures by conducting an informal video conference. Before resolving the dispute informally, the parties must agree to the informal process, agree to an entry of an order by the court after the informal video conference, and agree to abide by such order. The Court assumes that parties requesting an informal video conference agree to these terms. Parties wishing to avail themselves of this option must follow the procedures outlined below. **Unless agreed to by the 3rd party litigant, this procedure cannot be accomplished through the informal discovery process (a motion to compel/quash must be filed consistent with local rules).**

A party with a discovery dispute shall first meet and confer with the opposing party in a good faith effort to resolve the dispute without the intervention of the court. If meet and confer efforts fail to resolve the discovery dispute(s) and the involved parties agree to pursue an informal resolution of the dispute, the moving party shall advise the Court's Courtroom Deputy, Victoria Gonzales, of the dates and times in the next 2-14 days when all involved parties are available for the informal video conference. The Court will issue an order setting the informal video conference on a date and time convenient for the Court and all involved parties. The Court will also email the parties the meeting ID and passcode (password) for the informal video conference. **Unless requested by counsel, informal video conferences will not be on the record. However, the court will issue an order after the conference.**

The parties shall file a joint letter brief, not to exceed four pages, at least 24 hours (excluding holidays or weekends) before the scheduled informal video conference, unless otherwise ordered by the Court. The joint letter brief shall describe the parties' "meet and confer efforts" and provide a synopsis (without exhibits or attachments) of the discovery dispute. Individual letter briefs will not be permitted, except in rare circumstances and only upon leave of the court. If permitted, individual letter briefs are limited to two pages and must include, in addition information detailed above, a description as to why a joint letter brief was unattainable. The letter brief must be at least 12-point font. Letter briefs which exceed the page limitations set forth herein will be disregarded by the Court after the page limit is exceeded. **The letter brief shall be both filed with the Court (in ECF under "Civil Events"; "Other Filings"; "Other Documents"; "Informal Discovery Dispute Letter Brief") and emailed to saborders@caed.uscourts.gov before the applicable deadline. All parties must be cc'd on the e-mail with the letter brief attached. Failure to timely submit a letter brief will result in the informal video conference being vacated and sanctions against any responsible parties.** Even if multiple discovery disputes are raised at the informal conference, the four-page limitation shall apply, unless prior leave of Court is obtained. Following the informal video conference, the Court will issue an order with its ruling on the issues presented. Should the Court determine that further briefing is necessary to resolve the discovery dispute, the Court may order formal briefing pursuant to Local Rule 251 or may order the parties to be personally present for a discovery dispute conference.

The intent of the informal discovery dispute conference is to avoid litigation costs and the unnecessary and collateral focus on sanctioning a party. Accordingly, the Court will not impose sanctions against any party for the conduct giving rise to the discovery dispute. **However, the Court will impose sanctions against any party who, after agreeing to participate in the informal discovery process, fails to meet and confer in good faith, fails to participate in drafting the joint statement in good faith, fails to timely file the letter brief; and/or fails to appear at the informal video hearing.**