

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 20-7872 GW (PVCx) Date: March 8, 2024

Title Nantworks LLC v. Bank of America Corp

Present: The Honorable Pedro V. Castillo, United States Magistrate Judge

Marlene Ramirez

Deputy Clerk

None

Court Reporter / Recorder

Attorneys Present for Plaintiff:

None

Attorneys Present for Defendant:

None

**PROCEEDINGS: [IN CHAMBERS] ORDER DENYING WITHOUT
PREJUDICE PLAINTIFF’S MOTION TO STRIKE
PORTIONS OF THE EXPERT REPORT OF DR.
NATHANIEL POLISH (DKT. NO. 294)**

On March 7, 2024, Plaintiff filed a Motion To Strike Portions of the Expert Report of Dr. Nathaniel Polish and set it for hearing on April 11, 2024, before District Judge Wu. (“Motion,” Dkt. No. 294).¹ The Motion has been referred to the undersigned Magistrate Judge. (*See* Dkt. No. 8) (“District judges in the Central District of California refer all discovery-related motions to the assigned magistrate judge pursuant to General Order No. 05-07. Discovery-related motions should be noticed for hearing before the assigned magistrate judge.”).

The Motion fails to comply with the Local Rules, which require all discovery motions to be filed in the form of a Joint Stipulation. L.R. 37. “The Court will not consider any discovery motion in the absence of a joint stipulation or a declaration from counsel for the moving party establishing that opposing counsel (a) failed to confer in a

¹ Plaintiff also filed an Application to file certain documents under seal (“Application,” Dkt. No. 295), along with a Sealed Declaration of Brice C. Lynch in support of the Application) and attached sealed exhibits (Dkt. No. 296).

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timely manner under L.R. 37-1; (b) failed to provide the opposing party’s portion of the joint stipulation in a timely manner under L.R. 37-2.2; or (c) refused to sign and return the joint stipulation after the opposing party’s portion was added.” L.R. 37-2.4. Plaintiff’s counsel does not assert that opposing counsel failed to participate in the Local Rule 37 procedures.

Plaintiff’s Motion To Strike Portions of the Expert Report of Dr. Nathaniel Polish (Dkt. No. 294) is DENIED WITHOUT PREJUDICE. The April 11, 2024, hearing is VACATED. The Application to file certain documents under seal (Dkt. No. 295) is DENIED AS MOOT. The Clerk is ordered to strike the Sealed Declaration (Dkt. No. 296) from the docket.

IT IS SO ORDERED.

Initials of Preparer 00:00
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