

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Yanez-Davison v. UPS, Inc.

Yanez-Davison · No. 2:23-cv-3016-DC-AC · Decided July 25, 2025

SUMMARY

The United States District Court for the Eastern District of California denied UPS’s motion for a protective order seeking to stay discovery pending resolution of its motion to dismiss. The court denied the motion without prejudice because UPS failed to comply with the requirement to file a joint discovery statement under Local Rule 251.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 25, 2025
DOCKET	2:23-cv-3016-DC-AC
DISPOSITION	other
PROCEDURAL POSTURE	Defendant United Parcel Service, Inc. moved for a protective order under Federal Rule of Civil Procedure 26(c), seeking to stay discovery until resolution of its pending motion to dismiss.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district court order

TOPICS

- discovery dispute
- civil procedure

PRACTICE AREAS

- Civil procedure
- Discovery

QUESTIONS PRESENTED

1. Whether UPS's motion for a protective order should be considered when the moving party failed to comply with the Local Rule 251(c) requirement to file a joint discovery statement.

HOLDINGS

1. A motion brought under Federal Rule of Civil Procedure 26(c) must comply with the joint discovery statement requirement in Eastern District of California Local Rule 251(c); because UPS failed to satisfy that requirement, its motion for a protective order was denied without prejudice.

KEY QUOTATIONS

“Because UPS, the moving party, did not satisfy Local Rule 251(c)’s joint discovery statement requirement, the motion is denied without prejudice.” (1)

FACTUAL BACKGROUND

UPS sought to stay discovery pending resolution of its motion to dismiss. The motion was brought under Federal Rule of Civil Procedure 26(c) and Eastern District of California Local Rule 251. UPS did not file the joint discovery statement required for discovery motions, and the parties instead filed separate briefs without explanation.

PROCEDURAL HISTORY

The action was pending in the Eastern District of California. UPS filed a motion for a protective order, and the parties submitted independent briefing rather than the joint discovery statement required by the applicable local rules. The discovery matter was referred to Magistrate Judge Allison Claire, who denied the motion without prejudice.

DISPOSITION

other

CASES CITED

- U.S. v. Molen, 2012 WL 5940383, at *1 (E.D. Cal. Nov. 27, 2012)

OPINION

Yanez-Davison v. UPS, Inc.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 CHRISTINA YANEZ-DAVISON, No. 2:23-cv-3016-DC-AC

12 Plaintiff, 13 v. ORDER

14 UNITED PARCEL SERVICE, INC.,

JOSEPH DALIA, and DOES 1-10, 15 inclusive, 16 Defendants. 17 18 19 Pending before the court is defendant United Parcel Service (UPS)’s motion for a 20 protective order seeking to stay discovery until the resolution of its pending motion to dismiss 21 (ECF No. 33). ECF No. 39. The

motion is brought pursuant to Fed. R. Civ. P. 26(c) and Local
22 Rule 251. ECF No. 39 at 1. This discovery matter was referred to the undersigned pursuant to
23 E.D. Cal. R. ("Local Rule") 302(c)(1). 24 Local Rules 251(b) and (c) establish requirements for
any party bringing a motion 25 pursuant to Federal Rules of Civil Procedure 26 through 37 and 45,
including the requirement that 26 the parties file a joint discovery statement. Here, no joint
discovery statement has been filed; the 27 parties instead filed independent briefing without
explanation or reference to the joint statement 28 requirement. ECF Nos. 39, 41, 44. Because UPS,
the moving party, did not satisfy Local Rule 1 |} 251(c)'s joint discovery statement requirement,
the motion is denied without prejudice. See e.g., 2 | US. v. Molen, 2012 WL 5940383, at *1
(E.D.Cal. Nov. 27, 2012) (where a party fails to comply 3 || with Local Rule 251, discovery
motions are denied without prejudice to re-filing). 4 For the reasons state above, IT IS HEREBY
ORDERED that defendant's motion for a 5 || protective order, ECF No. 39, is DENIED without
prejudice. 6 IT IS SO ORDERED. 7 | DATE: July 25, 2025 Af
8 ALLISON CLAIRE
9 UNITED STATES MAGISTRATE JUDGE
10 1] 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28