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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JOHN E. GAMBLE III,

Plaintiff,

v.

U.S. IMMIGRATION AND CUSTOMS  
ENFORCEMENT,

Defendant.

Case No.: 23CV1706-BAS (BLM)

**ORDER GRANTING JOINT MOTION TO  
VACATE RULE 26 DISCOVERY  
REQUIREMENTS AND DEADLINE FOR  
JOINT DISCOVERY PLAN**

**[ECF NO. 20]**

On November 15, 2023, the Court issued a Notice and Order for Early Neutral Evaluation Conference and Case Management Conference. ECF No. 18. The Court scheduled the conferences for December 19, 2023. Id. The Court also ordered the parties to meet and confer by November 28, 2023, file a Joint Discovery Plan by December 8, 2023, and exchange initial disclosures by December 12, 2023. Id.

On November 27, 2023, the parties filed a Joint Motion to Vacate Rule 26 Discovery Requirements and Deadline for Joint Discovery Plan. ECF No. 20. The parties seek to vacate the Court’s deadlines for meeting and conferring, filing a joint discovery plan, and exchanging initial disclosures. Id. at 4. In support, the parties state that “Plaintiff’s lawsuit consists of a single cause of action under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, et seq.,

1 and discovery is generally unavailable in FOIA actions.” Id. at 2. The parties note that in FOIA  
2 cases, document related disputes are typically resolved on summary judgment. Id. at 3.

3 Good cause appearing, the parties’ motion is **GRANTED**. The November 28, 2023  
4 deadline to meet and confer, the December 8, 2023 deadline for filing a joint discovery plan,  
5 and the December 12, 2023 deadline to exchange initial disclosures are **VACATED**. All other  
6 guidelines and requirements remain as previously set. ECF No. 18.

7 **IT IS SO ORDERED.**

8 Dated: 11/28/2023

  
9 Hon. Barbara L. Major  
10 United States Magistrate Judge  
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