

IRBC 2 PROPERTIES, LLC v. FOSTER

21CV45174

**PLAINTIFF'S MOTION TO COMPEL
INITIAL RESPONSE TO RPD**

This is a quiet title action involving access to a potentially landlocked parcel accessible only by traversing defendant's property. Before the Court is plaintiff's motion to compel an initial response from defendant to a Request for Production of Documents. Although defendant concedes his delinquency, and requests more time, this motion cannot proceed as noticed.

Pursuant to Calaveras County Superior Court Local Rule 3.3.7 (adopted 1/1/18), "all matters noticed for the Law & Motion calendar **shall** include" specified language in the Notice of Motion, and "failure to include this language in the notice may be a basis for the Court to deny the motion." Based on plaintiff's failure to include the required language, the motion is DENIED, without prejudice to refile, to the extent it otherwise is timely and appropriate pursuant to relevant statutes.

The Clerk shall provide notice of this Ruling to the parties forthwith. No further formal order is required.