

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

IN RE: BANK OF AMERICA CALIFORNIA
UNEMPLOYMENT BENEFITS LITIGATION

Case No.: 21md2992-GPC (MSB)

**ORDER DENYING AS MOOT DISCOVERY
MOTIONS RE: INDIVIDUAL PLAINTIFFS'
DEPOSITIONS**

[ECF NOS. 326 & 327]

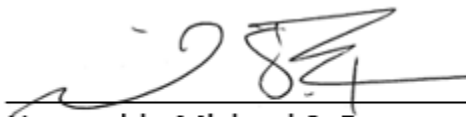
On August 20, 2024, the Court held an Informal Discovery Conference (“IDC”) to address a discovery dispute regarding the method of conducting depositions of Individual Plaintiffs. (ECF No. 318.) At the IDC, the Court issued a tentative order permitting Defendant Bank of America, N.A. (“Defendant”) to proceed with ten in-person depositions of Individual Plaintiffs, pending Judge Curiel’s ruling on Individual Plaintiffs’ expedited motion to stay [ECF No. 311]. Counsel for Plaintiffs and the Proposed Class requested formal briefing on the issue, which the Court granted. (ECF No. 319.) Both parties timely filed opening briefs on September 3, 2024, and responsive briefs on September 6, 2024. (ECF Nos. 326–327, 329–330.)

Subsequently, on September 17, 2024, the Honorable District Judge Gonzalo P. Curiel issued an Order granting in part Individual Plaintiffs’ motion to stay their proceedings until a ruling on Plaintiffs’ class certification motion. (ECF No. 338.) Judge

1 Curiel's Order instructs the parties to file a joint or ex parte motion to lift or continue
2 the stay within ten days of the filing of the Court's order on class certification. (Id. at
3 14.) Considering Judge Curiel's ruling and the stay of Individual Plaintiffs' cases, the
4 Court **DENIES as moot** Defendant's "Memorandum of Points and Authorities in Support
5 of August 20, 2024 Tentative Order" [ECF No. 326] and Plaintiffs' "Motion for Protective
6 Order Re: 128 Depositions" [ECF No. 327]. The Court's tentative order from the August
7 20, 2024, IDC is **VACATED**, and all previously noticed depositions of Individual Plaintiffs
8 are **STAYED**.

9 **IT IS SO ORDERED.**

10 Dated: September 18, 2024

11 
12 Honorable Michael S. Berg
13 United States Magistrate Judge
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