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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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|-----------------------------|---|---|
| REGINALD LENARD SMITH, |) | Case No. CV 11-10666 DDP (PJWx) |
| |) | |
| Plaintiff, |) | ORDER GRANTING EX PARTE |
| |) | APPLICATION AND CONTINUING DATES |
| v. |) | |
| |) | [Dkt. No. 137] |
| COUNTY OF LOS ANGELES; LOS |) | |
| ANGELES COUNTY SHERIFF'S |) | |
| DEPARTMENT; Does 1 through |) | |
| 10, both their personal and |) | |
| official capacities, |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |
| |) | |
| |) | |
| |) | |

Plaintiff brings this lawsuit against the two named entities and various "Does" for alleged civil rights violations and related claims. (Dkt. Nos. 1, 78.) Plaintiff has now identified one of the "Doe" defendants, a Los Angeles County employee named Barbara Fryer. (Dkt. No. 131.) Defendants now move for an extension of deadlines to allow Ms. Fryer an opportunity to conduct discovery and file an answer, 12(b)(6) motion, and/or motion for summary judgment. (Dkt. No. 137.) This motion is brought as an ex parte

1 application because there is not sufficient time to bring a noticed
2 motion before the discovery and motion-filing deadlines pass.

3 (Id.)

4 The parties agree that discovery and motion-related dates must
5 be continued. (Id.; Opp'n at 5:19-26.) They disagree only as to
6 whether pretrial and trial dates should be continued. (Id. at 6.)
7 However, in order to give adequate time for Ms. Fryer to file a
8 motion for summary judgment, for the Court to rule on it, and for
9 the parties to meaningfully prepare for trial in light of any
10 summary judgment, the pretrial and trial dates must be continued.
11 Although Plaintiff argues that Ms. Fryer could bring a summary
12 judgment motion now, because her only defenses are purely legal
13 ones, the Court is not prepared to make that determination without
14 affording her an opportunity to respond to the complaint and
15 conduct whatever discovery might be necessary to her defenses.

16 Therefore the scheduling order is modified as follows:

- 17 • Ms. Fryer shall have until April 18, 2015 to respond to
18 the complaint.
- 19 • All discovery deadlines are continued to May 18, 2015.
- 20 • The settlement conference deadline is continued to May
21 29, 2015.
- 22 • The last day to file motions is continued to June 1,
23 2015.
- 24 • The proposed pretrial order deadline is continued to July
25 10, 2015.
- 26 • The FINAL PRETRIAL CONFERENCE is continued to August 10,
27 2015 at 11:00 a.m.

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- FOUR DAY JURY TRIAL is continued to August 18, 2015 at 9:00 a.m.

IT IS SO ORDERED.

Dated: March 31, 2015


DEAN D. PREGERSON
United States District Judge