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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TIMOTHY BUFORD,	CASE NO. 1:01-cv-05192-AWI-SMS PC
Plaintiff,	DISCOVERY ORDER
v.	SCHEDULING ORDER
WASCO STATE PRISON, et al.,	Deadline to Amend Pleadings - 01/24/08
Defendants.	Discovery Cut-Off Date - 03/24/08
	Dispositive Motion Deadline - 05/23/08

Plaintiff Timothy Buford (“plaintiff”) is a prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 12132 (Americans with Disabilities Act). This action is proceeding on plaintiff’s second amended complaint, filed January 8, 2004, against defendants Carbajal, Bindel, Huertas, Dobbs, Cheatham, Leong, and Songer (“defendants”) on plaintiff’s ADA claim. Defendants have answered the second amended complaint filed on January 8, 2004.

Pursuant to Federal Rules of Civil Procedure 1, 16, and 26-36, discovery shall proceed as follows:

1. Discovery requests shall be served by the parties pursuant to Federal Rule of Civil Procedure 5 and Local Rule 5-135, and shall only be filed when required by Local Rules 33-250(c), 34-250(c), and 36-250(c);

2. Responses to written discovery requests shall be due forty-five (45) days after the request is first served;

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1 3. To ensure that the responding party has forty-five (45) days after the request is first served
2 to respond, discovery requests must be served at least forty-five (45) days before the discovery
3 deadline;

4 4. Pursuant to Federal Rule of Civil Procedure 30(a), defendants may depose plaintiff and
5 any other witness confined in a prison upon condition that, at least fourteen (14) days before such
6 a deposition, defendants serve all parties with the notice required by Federal Rule of Civil Procedure
7 30(b)(1); and

8 5. If disputes arise about the parties' obligations to respond to requests for discovery, the
9 parties shall comply with all pertinent rules including Rules 5, 7, 11, 26, and 37 of the Federal Rules
10 of Civil Procedure and Rules 11-110, 7-130, 7-131, 5-133, 5-135, 6-136, 43-142, and 78-230(m) of
11 the Local Rules of Practice for the United States District Court, Eastern District of California.
12 Unless otherwise ordered, Local Rule 37-251 shall not apply, and the requirement set forth in Federal
13 Rules of Civil Procedure 26 and 37 that a party seeking relief from the court certify that he or she
14 has in good faith conferred or attempted to confer with the other party or person in an effort to
15 resolve the dispute prior to seeking court action shall not apply. Voluntary compliance with this
16 provision of Rules 26 and 37 is encouraged, however. A discovery motion that does not comply
17 with all applicable rules will be stricken and may result in imposition of sanctions.

18 Further:

19 6. The deadline for amending the pleadings shall be January 24, 2008;

20 7. The parties are advised that the deadline for the completion of all discovery, including
21 filing motions to compel, shall be March 24, 2008;

22 8. The deadline for filing pre-trial dispositive motions shall be May 23, 2008;

23 10. **A request for an extension of a deadline set in this order must be filed on or before**
24 **the expiration of the deadline in question; and**

25 11. **Extensions of time will only be granted on a showing of good cause.**

26 IT IS SO ORDERED.

27 **Dated: September 20, 2007**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE