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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTONIO CORTEZ BUCKLEY,
Plaintiff,
v.
A. K. SCRIBNER, et al.,
Defendants.

Case No. 1:04-cv-05622-LJO-MJS (PC)
ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION TO MODIFY SCHEDULING ORDER PENDING SETTLEMENT
(ECF No. 112)
DISPOSITIONAL DOCUMENTS UPON SETTLEMENT DUE BY NOT LATER THAN OCTOBER 11, 2013

Plaintiff Antonio Cortez Buckley, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action on April 26, 2004 pursuant to 42 U.S.C. § 1983. This action proceeds on claims that Defendants Dotson, Parangan, Jarralimillio, Peck, Lerman, and Ocegura violated Plaintiff's First Amendment right to free exercise of religion. (ECF Nos. 29, 48, 51.) The pretrial conference is set for October 11, 2013 at 9:30 a.m. in Courtroom 6 before the undersigned. (ECF No. 106.) Trial is set for December 10, 2013 at 8:30 a.m. in Courtroom 4 before United States District Judge Lawrence J. O'Neill. (Id.)

On July 30, 2013, Defendants filed notice that the parties had settled this matter on July 26, 2013 and that dispositional documents, including joint voluntary dismissal, were to be filed. (ECF No. 111.) Before the Court is Defendants' September 10, 2013 motion, unopposed by Plaintiff, to modify the scheduling order to vacate or stay pretrial deadlines pending settlement. (ECF No. 112.)

1 Good cause having been presented to the Court and GOOD CAUSE APPEARING
2 THEREFOR, IT IS HEREBY ORDERED that Defendants' motion (ECF No. 112) is granted
3 in part and denied in part, such that:

- 4 1. The Second Scheduling Order (ECF No. 106) is stayed;
- 5 2. The October 11, 2013 pretrial conference date is vacated;
- 6 3. The parties shall file joint documents disposing of this matter upon settlement
7 by not later than October 11, 2013; and
- 8 4. The December 10, 2013 trial shall remain on calendar subject to being
9 vacated upon the parties' compliance with the foregoing.

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20 IT IS SO ORDERED.

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22 Dated: September 12, 2013

/s/ Michael J. Seng
23 UNITED STATES MAGISTRATE JUDGE
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