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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CARLOS HENDON,

1:05-cv-01247-AWI-GSA-PC

Plaintiff,

ORDER COMMENCING DISCOVERY
BETWEEN PLAINTIFF AND DEFENDANT HOPPE

v.

Discovery Cut-Off Date - 08/01/2012

BAROYA, et al.,

Dispositive Motions Deadline
for all parties - 10/01/2012

Defendants.

_____/

On August 1, 2011, defendant Hoppe answered the Second Amended Complaint. Pursuant to Federal Rules of Civil Procedure 1, 16, and 26-36, discovery between Plaintiff and defendant Hoppe shall proceed as follows:

1. Discovery requests shall be served by the parties pursuant to Federal Rule of Civil Procedure 5 and Local Rule 135, and shall only be filed when required by Local Rules 250.2, 250.3, and 250.4;
2. Responses to written discovery requests shall be due forty-five (45) days after the request is first served;
3. To ensure that the responding party has forty-five (45) days after the request is first served to respond, discovery requests must be served at least forty-five (45) days before the discovery deadline;
4. Pursuant to Federal Rule of Civil Procedure 30(a), defendant may depose plaintiff and any other witness confined in a prison upon condition that, at least fourteen (14) days before such a

1 deposition, defendant serve all parties with the notice required by Federal Rule of Civil Procedure
2 30(b)(1); and

3 5. If disputes arise about the parties' obligations to respond to requests for discovery, the
4 parties shall comply with all pertinent rules including Rules 5, 7, 11, 26, and 37 of the Federal Rules
5 of Civil Procedure and Rules 110, 130, 131, 133, 135, 142, and 230(1) of the Local Rules of Practice
6 for the United States District Court, Eastern District of California. Unless otherwise ordered, Local
7 Rule 251 shall not apply, and the requirement set forth in Federal Rules of Civil Procedure 26 and 37
8 that a party seeking relief from the court certify that he or she has in good faith conferred or
9 attempted to confer with the other party or person in an effort to resolve the dispute prior to seeking
10 court action shall not apply. Voluntary compliance with this provision of Rules 26 and 37 is
11 encouraged, however. A discovery motion that does not comply with all applicable rules will be
12 stricken and may result in imposition of sanctions.

13 Further:

14 6. The parties are advised that the deadline for the completion of all discovery between
15 Plaintiff and defendant Hoppe, including filing motions to compel, shall be **August 1, 2012**;

16 7. The deadline for all parties to this action to file pre-trial dispositive motions shall be
17 **October 1, 2012**;

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

20 9. **Extensions of time will only be granted on a showing of good cause.**

21
22 IT IS SO ORDERED.

23 **Dated: March 26, 2012**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE