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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PUNAOFO TSUGITO TILEI,)
)
 Plaintiff,)
)
 vs.)
)
 T. WAN, et al.,)
)
)
 Defendants.)

1:06-cv-00776-OWW-GSA-PC

ORDER GRANTING MOTION FOR
EXTENSION OF DISCOVERY
DEADLINE
(Doc. 102.)

New Discovery Deadline - 09/17/2010
New Dispositive Motions Deadline - 11/19/2010

Punafo Tsugito Tilei ("plaintiff") is a state prisoner proceeding pro se with this civil rights action pursuant to 42 U.S.C. § 1983. On June 2, 2010, plaintiff filed a motion to extend the discovery deadline in this action, or in the alternative, to stay this action. (Doc. 102.) Defendants have not filed an opposition.

A court may modify a scheduling order for good cause. Fed.R.Civ.P 16(b)(4). This good cause standard “primarily considers the diligence of the party seeking the amendment.” Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). To establish good cause, the party seeking the modification of a scheduling order must generally show that even with the exercise of due diligence, they cannot meet the requirement of the order. Id.

Plaintiff requests a new discovery deadline on the ground that his medical condition causes him considerable pain and mental suffering, which affects his daily activities. Plaintiff also asserts that he lacks adequate access to the law library to obtain the materials needed to complete and serve discovery documents. Good cause appearing, plaintiff's motion shall be granted, and the deadlines for discovery and for the filing of pretrial dispositive motions shall be extended for all parties to this action.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for extension of the discovery deadline in this action is GRANTED;
2. The new deadline for completion of discovery, including motions to compel, is September 17, 2010, for all parties to this action; and
3. The new deadline for filing pretrial dispositive motions is November 19, 2010, for all parties to this action.

IT IS SO ORDERED.

Dated: July 12, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE