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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SHAUN KANE,

Plaintiff,

v.

RICHARD PIERCE, et al.,

Defendants.

CASE NO. 1:06-cv-01564-OWW-GSA PC

ORDER GRANTING PARTIES' MOTIONS
FOR CLARIFICATION AND TO MODIFY
THE SCHEDULING ORDER

(Docs. 106, 110, 116, and 118)

Deadline to Amend Pleadings - 04/28/2010
Discovery Cut-Off Date - 05/28/2010
Dispositive Motion Deadline - 06/28/2010

_____ /
This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Shaun Kane, a federal prisoner proceeding pro se and in forma pauperis.¹ Pursuant to the scheduling order filed on April 10, 2009, the deadline for the completion of all discovery was December 14, 2009, and the deadline for filing pretrial dispositive motions was February 15, 2010. Pursuant to the order issued on October 16, 2009, Plaintiff's motion for an extension of the discovery and pretrial dispositive motion deadlines was granted, and the discovery deadline was extended to December 18, 2009, and the pretrial dispositive motion deadline was extended to February 18, 2010.

On December 17, 2009, Plaintiff filed a motion seeking an extension of the amended pleadings deadline, and on January 12, 2010, Defendants Mims, Flores, and Tilkes filed a motion for clarification of the deadlines in light of the fact that the order of October 16 only extended them by four days and three days, respectively. On January 28, 2010, Defendants Mims, Flores, and

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¹ Plaintiff's claims arise from conditions of confinement at the Fresno County Jail.

1 Tilkes filed a motion seeking to modify the scheduling order, and Defendant Yorke filed a notice of
2 non-opposition.

3 The Court is unable to determine why the deadlines were extended by only days and
4 concludes it was due to administrative oversight. In light of the parties' requests and in the interest
5 of justice, it is HEREBY ORDERED that:

- 6 1. The deadline to amend the pleadings is extended to April 28, 2010;
- 7 2. The deadline for the completion of all discovery, including filing motions to compel,
8 is extended to May 28, 2010;
- 9 3. The deadline for filing pretrial dispositive motions is extended to June 28, 2010; and
- 10 4. No further extensions of time will be granted absent a showing of good cause, Fed.
11 R. Civ. P. 16(b)(4), and upon motion brought on or before the deadline in question.

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13 IT IS SO ORDERED.

14 **Dated: February 3, 2010**

15 /s/ Gary S. Austin
16 UNITED STATES MAGISTRATE JUDGE
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