

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

ALEX LAMOTA MARTI,  
Plaintiff,  
vs.  
F. PADILLA, et al.,  
Defendants.

1:07-cv-00066-LJO-GSA-PC

ORDER FOR DEFENDANTS TO FILE A  
RESPONSE TO PLAINTIFF’S MOTION  
TO STRIKE DEPOSITION  
(Doc. 210.)

THIRTY DAY DEADLINE TO FILE  
RESPONSE

\_\_\_\_\_ /

Alex Marti (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on January 12, 2007. (Doc. 1.) This action now proceeds on the Amended Complaint filed by Plaintiff on July 9, 2007, against twenty-two defendants (“Defendants”), on Plaintiff’s claims for retaliation under the First Amendment. (Doc. 20.)

On July 29, 2010, Defendants’ filed a motion for summary judgment and lodged Plaintiff’s deposition with the Court. (Docs. 173, 174.) On June 14, 2011, Plaintiff filed a motion to strike the deposition because he was not afforded the opportunity to review the transcript of the deposition for the purpose of noticing changes. (Doc. 210.) Defendants have not filed a timely response to the motion. Local Rule 230(l). At this juncture, Defendants shall be required to file a response to Plaintiff’s motion to strike the deposition.

///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, IT IS HEREBY ORDERED that within thirty days of the date of service of this order, Defendants shall file a response to Plaintiff's motion to strike the deposition, filed on June 14, 2011.

IT IS SO ORDERED.

**Dated: December 19, 2011**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE