

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

SHAULTON J. MITCHELL,

No. C 08-00577 WHA (PR)

Plaintiff,

v.

ORDER DIRECTING DEFENDANTS TO RESPOND TO PLAINTIFF'S MOTION TO COMPEL DISCOVERY; GRANTING PLAINTIFF'S REQUEST FOR EXTENSION OF TIME TO FILE OPPOSITION TO MOTION FOR SUMMARY JUDGMENT

R. VALDIVIA, J. GARCIA, R. MCCOY, E. SALINAS, JOHN DOE,

Defendants.

(Docket No. 39)

United States District Court
For the Northern District of California

By order filed September 13, 2010, the court denied plaintiff's motions to compel discovery (docket nos. 31 & 32) as premature, on the ground plaintiff did not attempt to meet and confer with defendants prior to filing such motions (docket no. 33). Additionally, by that same order, the court granted plaintiff an extension of time until November 8, 2010, to file opposition to defendants' motion for summary judgment, so that plaintiff could engage in discovery prior to filing his opposition.

Now pending before the court is plaintiff's second motion to compel discovery (docket no. 38), as well as a request for an extension of time of thirty days to file opposition to defendants' motion for summary judgment, on the ground plaintiff has attempted to meet and confer with defendants by sending two letters to defendants' counsel, but counsel has not responded thereto (docket no. 39).

GOOD CAUSE APPEARING, the court orders as follows:

1. Within twenty days of the date of this order, defendants shall file a response to the motion to compel. Plaintiff shall file a reply to defendants' response within ten days of being served with the response. The motion will be deemed submitted on the date plaintiff's reply is due.

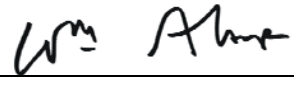
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2. Plaintiff's request for an extension of time to oppose defendants' motion for summary judgment is hereby GRANTED. The opposition will be due thirty days from the date on which the motion to compel is ruled on by the court.

This order terminates docket no. 39.

IT IS SO ORDERED.

Dated: December 16, 2010



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE