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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
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10 MICHAEL D. HARRISON,
11 Plaintiff,
12 v.
13 D. ADAMS, et al.,
14 Defendants.

Case No. 1:08-cv-01065-AWI-MJS (PC)
**ORDER VACATING DISCOVERY AND
SCHEDULING ORDER**
(ECF No. 272)

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17 Plaintiff is a state prisoner proceeding pro se in this civil rights action brought
18 pursuant to 42 U.S.C. § 1983. This case has proceeded for several years against
19 numerous defendants. (E.g., ECF No. 93.) After several modifications to the Court's
20 scheduling order, discovery ultimately closed on July 19, 2014, and dispositive motions
21 were due September 29, 2014. (ECF No. 169.) Several Defendants filed a motion for
22 summary judgment (ECF No. 202), which was granted in part (ECF No. 266).

23 Due to difficulties with service, Defendant Johnson did not appear in this action
24 until after the ruling on Defendants' motion for summary judgment. (ECF No. 269.)
25 Based on Defendant Johnson's belated appearance, the Court issued a new discovery
26 and scheduling order issued on October 21, 2015. (ECF No. 272.) That order set a June
27 21, 2016 discovery deadline and August 29, 2016 dispositive motion deadline. (ECF No.
28 272.)

1 Plaintiff, unwilling to delay resolution of this action further, subsequently moved to
2 dismiss Defendant Johnson and others. (ECF No. 285.) Plaintiff's motion was granted
3 on March 18, 2016 (ECF No. 290), and Johnson was dismissed.

4 The Court's discovery and scheduling order was predicated upon Johnson's
5 recent appearance in the case. The parties agree that, absent the recently dismissed
6 defendants, the case is otherwise ready to be set for trial. (ECF Nos. 285, 288.)

7 Accordingly, the Court's October 21, 2015 discovery and scheduling order is
8 HEREBY VACATED in light of Defendant Johnson's dismissal. The Court will
9 separately issue a scheduling order concerning trial and pre-trial deadlines.

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11 IT IS SO ORDERED.

12 Dated: March 18, 2016

13 /s/ Michael J. Seng
14 UNITED STATES MAGISTRATE JUDGE
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