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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FLOYD EUGENE BENDER,

Plaintiff,

v.

CANNEDY, et al.,

Defendants.

CASE NO. 1:09-cv-00575-OWW-GBC PC

ORDER GRANTING DEFENDANTS'
MOTION TO MODIFY THE SCHEDULING
ORDER

(Doc. 31)

Plaintiff Floyd Eugene Bender, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983. On January 31, 2011, Defendants filed a motion to modify the scheduling order due to difficulty in obtaining the deposition of Plaintiff.¹

Good cause having been presented to the Court and GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that:

- 1. The February 28, 2011, deadline to file dispositive motions is vacated;
- 2. Defendants may depose Plaintiff via videoconference by February 28, 2011;
- 3. The deadline to file dispositive motions is rescheduled to March 31, 2011; and
- 4. All other established deadlines in this action shall remain unchanged.

IT IS SO ORDERED.

Dated: February 2, 2011


UNITED STATES MAGISTRATE JUDGE

¹Under separate order the Court granted Defendants' request to file the declaration of Dr. Perlmutter under seal.