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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

THOMAS JOHN CARLSON,  
Plaintiff,  
v.  
R. HANSEN, et al.,  
Defendants.

Case No. 1:10-cv-00759-LJO-SKO PC  
ORDER GRANTING MOTION TO MODIFY  
SCHEDULING ORDER AND VACATING  
SCHEDULING ORDER PENDING  
FURTHER ORDER  
(Docs. 35 and 58)

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Plaintiff Thomas John Carlson, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on April 30, 2010. This action is now proceeding on Plaintiff's third amended complaint, filed on November 6, 2013, against Defendants Worth, Newton, Rodriquez, Vega, Monroy, Angulo, Madrid, O'Brien, Abraham, Alvarado, Chan, Garza, Ikeni, McCave, and Villa. Defendants Worth, Newton, Rodriquez, Vega, Monroy, Angulo, Madrid, and O'Brien's answer is due on or before January 20, 2014, and the United States Marshal is in the process of obtaining waivers of service from newly-added Defendants Abraham, Alvarado, Chan, Ikeni, and McCave.<sup>1</sup>

On December 16, 2013, Defendants Worth, Newton, Rodriquez, Vega, Monroy, Angulo, Madrid, O'Brien, Garza, and Villa filed a motion seeking to modify the discovery and pretrial

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<sup>1</sup> Newly-added Defendants Garza and Villa have already returned waivers of service. (Doc. 57.) Including three days for mailing under Rule 6(d), their response to Plaintiff's third amended complaint is due or on before January 24, 2014. Fed. R. Civ. P. 4(d)(3), 6(d), 12.

1 dispositive motion deadlines set forth in the scheduling order filed on February 12, 2013.

2           Given the recent addition of seven new defendants and in the interest of conserving the  
3 Court’s and the State’s resources by ensuring this action proceeds forward under one scheduling  
4 order, the Court finds good cause exists to vacate the current scheduling order. Fed. R. Civ. P.  
5 16(b)(4). A new scheduling order will be issued in due course.

6           Accordingly, Defendants’ motion is HEREBY GRANTED and the scheduling order filed  
7 on February 12, 2013, is VACATED pending further order.

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9 IT IS SO ORDERED.

10           Dated: December 20, 2013

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

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