

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MICHAEL FOSTER,

Plaintiff,

vs.

CAPTAIN F. VASQUEZ; *et al.*,

Defendants.

Case No. 1:10-cv-01830-RRB

**ORDER DENYING**  
**MOTION AT DOCKET 42**

At **Docket 42** Defendants have moved to modify the scheduling order. The motion is predicated upon the assumption that Plaintiff would be permitted to amend his complaint to add Warden Kathleen Allison as a defendant. The Court having denied Plaintiff's motion to add Warden Allison,<sup>1</sup> there is no necessity for amending the scheduling order *in toto*. The Court has, however, determined that the interests of justice would be served by extending the date for filing dispositive motions through and including **October 3, 2014**.

Accordingly, except as provided above, the Motion to Modify the Scheduling Order at **Docket 42** is **DENIED**, as moot.

**IT IS SO ORDERED** this 8<sup>th</sup> day of September, 2014.

/s/ RALPH R. BEISTLINE  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Docket 45.