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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAYMOND GUTHREY,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,

MICHAEL PATE, JR.,

Defendants.

) 1: 10-cv-02177-AWI-BAM

) **ORDER REGARDING BRIEFING**
) **SCHEDULE FOR DEFENDANT’S**
) **MOTION FOR RECONSIDERATION;**
) **SUBMISSION OF SETTLEMENT**
) **DOCUMENTS**

On August 17, 2012, Defendants filed a motion for reconsideration of the Court’s August 7, 2012 Order granting in part, and denying in part, Plaintiff’s motion to compel. (Doc. 56, 59.) Pursuant to Local Rule 303(d), Plaintiff’s opposition to Defendants’ motion for reconsideration was due on August 24, 2012.

On August 24, 2012, the parties filed a notice of settlement and requested a seven day extension for Plaintiff to file an opposition to the motion for reconsideration. The parties additionally requested the Court abstain from ruling on the motion for reconsideration while the parties finalized their settlement agreement. (Doc. 61.) The Court granted this request on August 28, 2012. (Doc. 62.)

On August 30, 2012, the parties submitted a revised notice of settlement, requesting the Court continue to abstain from ruling on Defendants’ motion for reconsideration, and granting Plaintiff additional time to oppose the motion for reconsideration. (Doc. 63.)

1 Based on the Joint Notice filed by the parties, and for good cause shown, the Court
2 ORDERS as follows:

- 3 1. Plaintiff's opposition to Defendant's motion for reconsideration is to be filed no
4 later than September 21, 2012;
- 5 2. The Court will not rule on Defendant's motion for reconsideration earlier than
6 September 24, 2012.

7 The dates in the amended scheduling order (Doc. 40) remain in effect.¹ If the parties file
8 appropriate papers to dismiss or conclude this action in its entirety prior to September 21, 2012,
9 the Court will vacate all remaining deadlines.

10 IT IS SO ORDERED.

11 **Dated: September 4, 2012**

11 **/s/ Barbara A. McAuliffe**
12 UNITED STATES MAGISTRATE JUDGE

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28 ¹ Should the parties determine good cause for relief from the scheduling order exists at a
later time, they may jointly contact the Court.