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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESSIE L. SERRANO,
Plaintiff,
v.
SCOTT RAWERS, et al.,
Defendants.

CASE NO. 1:11-cv-00399-LJO-MJS (PC)
**ORDER GRANTING MOTION TO MODIFY
DISCOVERY AND SCHEDULING ORDER
(ECF No. 43)**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. The action proceeds against Defendant Lucas on Plaintiff's Eight Amendment failure to protect claim. (ECF No. 11.)

On June 16, 2014, the Court issued a discovery and scheduling order, setting February 16, 2015 as the discovery deadline. (ECF No. 30.) On September 16, 2014, Defendant filed a motion for summary judgment on the ground Plaintiff failed to exhaust his administrative remedies. (ECF No. 34.) On January 7, 2015, Defendant filed a motion to modify the discovery and scheduling order by vacating the deadline for taking depositions and resetting it, if necessary, after the Court rules on the pending motion for summary judgment. (ECF No. 43.)

Defendant has presented good cause for modifying the discovery and scheduling order. Accordingly, Defendant's motion (ECF No. 43) is HEREBY GRANTED. The

1 deadline for taking depositions is VACATED, and will be reset, if necessary, following a
2 ruling on Defendant's motion for summary judgment.

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4 IT IS SO ORDERED.

5 Dated: January 13, 2015

1st Michael J. Seng
6 UNITED STATES MAGISTRATE JUDGE

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