

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESSIE L. SERRANO,

Plaintiff,

v.

SCOTT RAWERS, et al.,

Defendants.

CASE NO. 1:11-cv-00399-MJS (PC)

ORDER SETTING DEPOSITIONS
DEADLINE

(ECF No. 45)

FORTY-FIVE (45) DAY DEADLINE

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 Eighth 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 that 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.) The Court granted Defendant's motion to

1 modify the discovery order, (ECF No. 45.), and on March 30, 2015, the Court denied
2 Defendant's motion for summary judgment. (ECF No. 47.)

3 Accordingly, it is HEREBY ORDERED that: the new deadline for the parties to
4 take depositions is **forty-five days (45)** from the date of service of this order.

5
6 IT IS SO ORDERED.

7 Dated: May 4, 2015

Isl. Michael J. Seng
8 UNITED STATES MAGISTRATE JUDGE

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28