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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PETER FUGAWA,

Plaintiff,

v.

ROBERT TRIMBLE, et al.,

Defendants.

Case No. 1:11-cv-00966-LJO-SKO PC

ORDER GRANTING EX PARTE MOTION
FOR EXTENSION OF NON-EXPERT
DISCOVERY DEADLINE FROM
FEBRUARY 28, 2014, TO APRIL 7, 2014

(Doc. 33)

Plaintiff Peter Fugawa, a state prisoner now represented by counsel, filed this civil rights action pursuant to 42 U.S.C. § 1983 and California law on June 13, 2011. This action is proceeding on Plaintiff's amended complaint, filed on November 14, 2011, against Defendant L. DeArmond for use of excessive physical force in violation of the Eighth Amendment of the United States Constitution and for battery and negligence under California law. Plaintiff's claims arise out of a physical altercation between Plaintiff and Defendant on January 21, 2011, at Pleasant Valley State Prison.

On February 24, 2014, Plaintiff filed an ex parte application seeking an extension of the non-expert discovery deadline to April 7, 2014. The Court has considered Plaintiff's request and finds that Plaintiff has shown good cause for the requested modification of the scheduling order. Fed. R. Civ. P. 16(b)(4); *Zivkovic v. Southern California Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002).

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According, Plaintiff's motion is GRANTED and the non-expert discovery deadline is EXTENDED from February 28, 2014, to April 7, 2014.

IT IS SO ORDERED.

Dated: February 28, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE