

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LAWRENCE PEPE CARDOZA,

Plaintiff,

vs.

M. TANN, *et al.*,

Defendants.

Case No. 1:11-cv-01386-RRB

**ORDER RE: MOTIONS AT
DOCKETS 92 and 97**

At **Docket 92** Defendants T. Byers, M. Codd, R. Cummings, R. Hopkins, T. Mackey, S. Martinez, and J. Oldan filed a Motion to Compel Responses to Discovery Requests. At **Docket 97** Defendants moved for terminating sanctions for failure to attend a deposition and participate in court ordered discovery. At **Docket 103** the Court entered its Order to Show Cause on or before August 10, 2015, why Plaintiff should not be limited to the introduction of evidence supporting the factual basis for his claim, as those facts are expressly recited in the First Amended Complaint, and the introduction of documents in the possession, custody, and control of Defendants. Plaintiff has failed to respond to the Court's Order.

Accordingly, as against Defendants T. Byers, M. Codd, R. Cummings, R. Hopkins, T. Mackey, S. Martinez, and J. Oldan, Plaintiff is hereby limited to the introduction of: (1) facts except to the extent those facts are specifically alleged in his First Amended Complaint (Docket 18); (2) any exhibits, except to the extent that those exhibits are within

the possession, custody of control of the Defendants;¹ and (3) testimony of any witnesses, other than himself and the Defendants, except to the extent those witnesses may be necessary to authenticate documents in the possession, custody, or control of the Defendants.

The Clerk of the Court is directed to serve a copy of this Order on Plaintiff at his last known address.

IT IS SO ORDERED this 15th day of October, 2015.

S/ RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE

¹ As defined in the Scheduling and Planning Order. Docket 59.