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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

WALTER RAPALO, ) Case No.: 1:11-cv-01695-LJO-BAM PC  
 )  
Plaintiff, ) ORDER GRANTING DEFENDANTS' MOTION  
 ) TO MODIFY THE DISCOVERY AND  
v. ) SCHEDULING ORDER  
 ) (ECF No. 38)  
S. LOPEZ, et al., )  
Defendants. )  
 )  
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 )

Plaintiff Walter Rapalo ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds against Defendants Lopez, Schaffer and Manasrah for deliberate indifference to serious medical needs in violation of the Eighth Amendment.

On February 19, 2014, the Court issued a Discovery and Scheduling Order. Pursuant to that order, the deadline to complete discovery is October 19, 2014, and the deadline to file dispositive motions is December 29, 2014. (ECF No. 27.)

On September 24, 2014, Plaintiff filed a motion to compel discovery. (ECF No. 36.) Defendants opposed the motion on October 7, 2014. (ECF No. 37.) The motion is pending.

On October 16, 2014, Defendants filed the instant motion requesting an extension of the deadlines for discovery and dispositive motions. Defendants seek to extend the discovery deadline to

1 November 14, 2014, to complete Plaintiff's rescheduled deposition. Defendants explain that counsel  
2 noticed the deposition of Plaintiff at Valley State Prison for October 16, 2014. It appeared that  
3 Plaintiff would require a Spanish language interpreter for the deposition. On the date of the  
4 deposition, defense counsel learned that the provided interpreter was an employee of the California  
5 Department of Corrections and Rehabilitation, the same entity that employs defendants. As a result,  
6 counsel cancelled the deposition in order to secure a certified and neutral interpreter for a rescheduled  
7 deposition of Plaintiff. (ECF No. 38; Phillips Dec. ¶¶ 4, 6.) In addition to the extension of the  
8 discovery deadline to complete the deposition, Defendants also request a corresponding extension of  
9 the dispositive motion deadline to January 16, 2015. The Court finds a response unnecessary and the  
10 motion is deemed submitted.<sup>1</sup> Local Rule 230(l).

11 Good cause appearing, Defendants' motion to modify the discovery and scheduling order is  
12 HEREBY GRANTED. Fed. R. Civ. P. 16(b)(4). The discovery deadline is extended to November 14,  
13 2014, and the dispositive motion deadline is extended to January 16, 2015.

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15 IT IS SO ORDERED.

16 Dated: October 17, 2014

/s/ Barbara A. McAuliffe  
17 UNITED STATES MAGISTRATE JUDGE

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28 <sup>1</sup> Plaintiff will not be prejudiced by an inability to respond as the requested extension will permit resolution of his pending motion to compel and additional time to complete a dispositive motion, if any.