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

CHARLES A. MILLER,

 Plaintiff,

 v.

M. ADONIS, *et al.*,

 Defendants.

Case No. 1:12-cv-00353-DAD-EPG (PC)

**ORDER GRANTING EX PARTE
APPLICATION TO SHORTEN TIME TO
HEAR DEFENDANTS' MOTION TO
STRIKE PLAINTIFF'S INMATE-
EXPERT DARRELL HARRIS**

(ECF No. 111)

Defendants apply ex parte for an order shortening the time to hear their concurrently filed motion to strike Plaintiff's inmate-expert Darrell Harris. Defendants request that the Court specially set an expedited briefing schedule so that, if the motion is denied, Mr. Harris's deposition can proceed as noticed on October 17, 2017, before the close of discovery on October 18, 2018. In the alternative and if the motion is denied, Defendants request the Court issue an order permitting them to take Mr. Harris's deposition after the October 18, 2018 cutoff and within thirty days of the Court's ruling on Defendants' motion to strike.

Based on the present record and for good cause shown, the Court GRANTS Defendants' ex parte application in part. The Court will not alter the briefing schedule. However, if the Court denies Defendants' motion, the Court will permit Defendants thirty days following the denial of the motion to take Mr. Harris's deposition. In other words, Defendants may wait to take the

1 deposition of Mr. Harris with the understanding the Defendants will only do so if their motion to
2 strike is denied.

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4 IT IS SO ORDERED.

5 Dated: October 10, 2018

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE

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