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

RIOS & ASSOCIATES
36 W. COLORADO BLVD. SUITE 301
PASADENA, CALIFORNIA 91105
TELEPHONE (626) 583-1100

ESTATE OF ANGEL RAMIREZ et al

Plaintiffs,

vs.

KERN VALLEY STATE PRISON et al

Defendants.

CASE NO. 12-CV-0453 AWI SKO

**ORDER GRANTING STIPULATED
REQUEST THAT PLAINTIFF BE
GRANTED LEAVE TO FILE A
SECOND AMENDED COMPLAINT
AND THAT THE SCHEDULING
ORDER BE MODIFIED**

(Docs. 25, 29, 30)

On December 26, 2012, Plaintiffs filed a motion to amend the complaint so that additional parties, whose identities first became known to Plaintiffs during discovery, could be substituted for certain Doe Defendants. (Doc. 25.) The Court ordered Plaintiffs to file a proposed Second Amended Complaint (“SAC”) in

1 support of the motion and ordered the parties to meet and confer to determine
2 whether Defendants would stipulate to the amendment. (Doc. 26.)

3
4 On January 23, 2013, Plaintiffs filed a proposed SAC,¹ and on January 31,
5 2013, the parties filed a stipulation that Plaintiffs be granted leave to file the
6 proposed SAC and that the Scheduling Order be modified to extend the non-expert
7 discovery deadline to April 1, 2013, to provide additional time for discovery in light
8 of the amendment to the complaint.
9

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. The parties' stipulated request that Plaintiffs be granted leave to file a
12 Second Amended Complaint is GRANTED;
- 13 2. The proposed Second Amended Complaint filed on the docket on January
14 23, 2013(Doc. 28), is DEEMED filed as of the date of this order;
- 15 3. Plaintiffs' December 26, 2012, motion to amend (Doc. 25) is DENIED AS
16 MOOT;
- 17 4. The parties' non-expert discovery deadline is extended until April 1, 2013;
18 and
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24 _____
25 ¹ The proposed SAC is filed on the docket as a "Second Amended Complaint."
26 However, it should have been filed as a "proposed" SAC as the Court had not
27 approved the filing of an amended complaint and Defendants had not stipulated to
28 its filing.

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5. All other scheduling deadlines remain unchanged.

IT IS SO ORDERED.

Dated: January 31, 2013

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE