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

JAMES E. WHITE,  
Plaintiff,  
v.  
COUNTY OF MERCED,  
Defendant.

Case No. 1:12-cv-00917-BAM (PC)  
ORDER REQUIRING DEFENDANT TO FILE  
OPPOSITION OR STATEMENT OF NON-  
OPPOSITION TO PLAINTIFF’S MOTION  
FOR LEAVE TO AMEND AND MOTION TO  
MODIFY SCHEDULING ORDER  
(ECF Nos. 65, 66)  
ORDER VACATING OCTOBER 27, 2017,  
HEARING DATE

Plaintiff James E. White (“Plaintiff”) is a state prisoner proceeding *in forma pauperis* with retained counsel in this civil rights action pursuant to 42 U.S.C. § 1983.

On September 12, 2017, the Court held an informal telephonic conference off the record to discuss issues related to the filing of the second amended complaint. (ECF No. 64.) The same day, Plaintiff filed a notice to withdraw the second amended complaint. (ECF No. 62.)

On September 13, 2017, Plaintiff filed a motion to amend the complaint and a motion to modify the scheduling order with respect to the untimely motion to amend. (ECF Nos. 65, 66.) Plaintiff set the motions for hearing before the undersigned on October 27, 2017, at 9:00 a.m.

The parties are advised that it is the Court’s general practice to apply Local Rule 230(l) and certain other local rules concerning actions in which one party is incarcerated and proceeding *in propria persona*, to actions in which the plaintiff is represented by counsel.

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Accordingly, IT IS HEREBY ORDERED as follows:

1. Defendant County of Merced’s oppositions or statements of non-opposition to Plaintiff’s pending motions are due not more than **twenty-one (21) days** after the date of service of the motions;
2. Plaintiff’s replies, if any, are due not more than **seven (7) days** following the filing of Defendant’s responses; and
3. The hearing set for October 27, 2017, is VACATED.

IT IS SO ORDERED.

Dated: October 2, 2017

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE