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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 QUINCY SIMS, Case No. 1:12-cv-01904-LJO-SKO (PC)

11 v. Plaintiff,

12 v.

13 M. CABRERA,

14 Defendant.

ORDER GRANTING DEFENDANT'S
REQUEST FOR LEAVE TO DEPOSE
PLAINTIFF BY VIDEOCONFERENCE AND
EXTENDING DISCOVERY DEADLINE TO
JANUARY 30, 2015

(Doc. 47)

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16 Plaintiff Quincy Sims ("Plaintiff"), a state prisoner proceeding pro se and in forma
17 pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on November 21, 2012. This
18 action for damages is proceeding against Defendant M. Cabrera ("Defendant") for failing to
19 protect Plaintiff from the threat of harm by gang members or affiliates while he was at Kern
20 Valley State Prison, in violation of the Eighth Amendment of the United States Constitution.

21 A scheduling order was filed on May 13, 2014, and this action is currently in the discovery
22 phase. On December 22, 2014, Defendant filed a motion seeking leave to depose Plaintiff by
23 videoconference. Fed. R. Civ. P. 30(b)(4).

24 Good cause having been shown for the request to depose Plaintiff by videoconference,
25 Defendant's request is HEREBY GRANTED. Fed. R. Civ. P. 30(b)(4). Given the Court's

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1 unavailability to consider the request until today, the discovery deadline is extended, *sua sponte*,
2 from January 13, 2015, to January 30, 2015. Fed. R. Civ. P. 16(b)(4).

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4 IT IS SO ORDERED.

5 Dated: January 5, 2015

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/s/ **Sheila K. Oberto**
UNITED STATES MAGISTRATE JUDGE