

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

<p>NEIL O'BRIEN,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>DR. JOHN WELTY, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>CASE No.: 1:12-cv-02017-AWI-SAB</p> <p>ORDER RE STIPULATION AND DENYING DEFENDANTS' MOTION TO DISMISS AS MOOT</p> <p>(ECF Nos. 41, 42)</p>
--	---

Pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that:

1. Defendants' motion to dismiss filed June 8, 2016, is DENIED as moot;
2. The hearing set for August 1, 2016, at 1:30 p.m., in Courtroom 2 is VACATED;
3. Plaintiff shall file a second amended complaint within thirty days from the date of entry of this order;
4. Defendants shall file a responsive pleading within thirty days from the date of service of the second amended complaint; and
5. The Mandatory Scheduling Conference set for August 9, 2016, at 9:00 a.m., is CONTINUED to October 17, 2016 at 9:30 a.m. in Courtroom 9.

IT IS SO ORDERED.

Dated: July 19, 2016


UNITED STATES MAGISTRATE JUDGE