

1 order be amended so that they may do so. (Docs. 45 and 50).

2 After reviewing the parties' responses, the Court finds that the parties have established
3 good cause to amend the scheduling order so that *limited discovery* can be completed.
4 Specifically, Plaintiff may request the discovery outlined in his motion filed on September 22,
5 2014. (Doc. 47). However, this order is limited to giving Plaintiff the opportunity to request the
6 discovery. This order should not be construed as granting any of Plaintiff's discovery requests.
7 Moreover, Plaintiff is advised that filing a motion on the Court's docket is not the correct way to
8 request discovery. Accordingly, his motion for discovery is denied as incorrectly filed. Plaintiff
9 is advised that he must serve Defendants, or any other person or entity in possession of the items
10 sought, with his discovery requests directly. When doing so, he must follow the Federal Rules of
11 Civil Procedure to obtain the discovery he is seeking. Similarly, the Court will allow Defendants
12 additional time to take Plaintiff's deposition as requested.
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15 Accordingly, the Court amends the scheduling order issued on February 7, 2014 (Doc. 32)
16 as follows :

17 Non-expert discovery deadline: **February 1, 2015**

18 Dispositive motion filing deadline: **April 17, 2015**

19 Pretrial Conference: **July 30, 2015 at 10:00 a.m.** in Courtroom 10

20 Trial: **November 3, 2015 at 8:30 a.m.** in Courtroom 10

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22 *The non-expert discovery deadline is limited to the items listed above and requires that*
23 *any discovery motion be filed by February 1, 2015.* Defendants are advised that if an order to
24 take Plaintiff's deposition while he is in prison is required, they can file the appropriate motion
25 pursuant to the Fed. R. Civ. P. 30(a)(2)(B).

26 **II. Order**

27 Based on the above, IT IS HEREBY ORDERED that :
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- 1) Plaintiff's miscellaneous discovery motion (Doc. 47) is DENIED as incorrectly filed. However, Plaintiff is given additional time to serve the discovery requests outlined in his motion as directed above; and
- 2) The date in the scheduling order issued on February 7, 2014 (Doc. 32) is modified in accordance with the instructions outlined in this order. All other orders contained in the scheduling order issued on February 7, 2014, remain in full force and effect.

IT IS SO ORDERED.

Dated: November 18, 2014

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE