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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 RICHARD M. SANSONE,

12 Plaintiff,

13 vs.

14 J. C. THOMAS, et al.,

15 Defendants.  
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1:13-cv-01942-DAD-EPG-PC

ORDER VACATING  
DISCOVERY/SCHEDULING ORDER  
ISSUED ON JUNE 14, 2016  
(ECF No. 16.)

ORDER DIRECTING CLERK TO  
SERVE NEW ORDER REQUIRING  
INITIAL DISCLOSURES AND  
SETTING MANDATORY  
SCHEDULING CONFERENCE

18 Richard Sansone (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma*  
19 *pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This case now proceeds on the  
20 First Amended Complaint filed by Plaintiff on November 13, 2014, against defendants  
21 Correctional Officer J. C. Thomas and John Doe #1, for use of excessive force in violation of  
22 the Eighth Amendment.<sup>1</sup> (ECF No. 27.)

23 On June 14, 2016, the Court issued a Discovery and Scheduling Order setting out  
24 deadlines in this case for filing exhaustion motions, amending pleadings, discovery, and filing  
25 dispositive motions. (ECF No. 42.) At this time, the Court finds it beneficial to replace the  
26 Discovery and Scheduling Order with a new order entitled “Order Requiring Initial Disclosures  
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28 <sup>1</sup> On May 5, 2016, the Court issued an order dismissing all other claims and defendants from this  
action, based on Plaintiff’s failure to state a claim. (ECF No. 36.)

1 and Setting Mandatory Scheduling Conference.” To this end, the Court shall vacate the prior  
2 order in its entirety and direct the Clerk to serve the new order upon the parties to this case. All  
3 of the dates and deadlines in the prior Discovery and Scheduling Order shall be vacated.

4 Based on the foregoing, IT IS HEREBY ORDERED that:

- 5 1. The Discovery and Scheduling Order issued on June 14, 2016, is VACATED in  
6 its entirety;
- 7 2. The Clerk is DIRECTED to serve the “Order Requiring Initial Disclosures and  
8 Setting Mandatory Scheduling Conference” upon the parties to this case; and
- 9 3. The new order supercedes the prior order, and therefore all dates and deadlines  
10 set in the Discovery and Scheduling Order issued on June 14, 2016, are  
11 VACATED.

12 IT IS SO ORDERED.

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14 Dated: July 26, 2016

15 /s/ Eric P. Gray  
16 UNITED STATES MAGISTRATE JUDGE  
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