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3 **UNITED STATES DISTRICT COURT**  
4 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

5 **EUGENE FORTE,**

6 **Plaintiff,**

7 **v.**

8 **TIMOTHY SCHWARTZ,**

9 **Defendant.**

**1:13-cv-1980-LJO-MJS**

**ORDER RE PLAINTIFF'S EX PARTE  
APPLICATION (Doc. 113)**

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12 On January 15, 2017, Plaintiff filed an ex parte application in which he requests, among other  
13 things, that the February 7, 2017 trial be reset for some time after April 18, 2017, due to his medical  
14 issues. Doc. 113. The Defendant does not object.

15 Plaintiff's request is GRANTED. The trial is reset for the next available trial date, which is  
16 February 27, 2018, at 8:30A.M., in approximately 13 months. The Court will hold a pre-trial conference  
17 on January 22, 2018 at 11:00 a.m. . All pending deadlines in this case are therefore VACATED. The  
18 Court will not re-open discovery absent good cause stated by way of a formal motion.

19 The trial date of February 7, 2017 is vacated.

20  
21 **IT IS SO ORDERED.**

22 Dated: **January 17, 2017**

**/s/ Lawrence J. O'Neill**  
**UNITED STATES CHIEF DISTRICT JUDGE**