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

JAMES W. MILLNER,)	Case No.: 1:13-cv-02029-SAB (PC)
)	
Plaintiff,)	
)	ORDER GRANTING DEFENDANTS' MOTION
v.)	TO MODIFY THE DISCOVERY AND
)	SCHEDULING ORDER AND VACATING ALL
MARTIN BITER, et al.,)	DEADLINES SET FORTH IN THE COURT'S
)	MAY 5, 2015, ORDER
Defendants.)	
)	[ECF No. 99]
)	

Plaintiff James W. Millner is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983.

On October 9, 2015, Defendants filed a motion to modify the discovery and scheduling order. (ECF No. 99.)

On May 5, 2015, the Court issued the discovery and scheduling order in this case setting the deadlines to amend the pleadings, complete discovery, and file a dispositive motion. (ECF No. 57.)

On June 23, 2015, Defendants filed a motion for summary judgment for Plaintiff's failure to exhaust the administrative remedies. (ECF No. 70.)

On July 7, 2015, the Court granted Defendants' request to stay merits-based discovery pending the motion for summary judgment. (ECF No. 72.)

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1 On the basis of good cause, the Court HEREBY VACATES the deadlines set forth in the
2 discovery and scheduling order to resetting if and when Defendants' motion for summary judgment on
3 the issue of exhaustion is denied.

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5 IT IS SO ORDERED.

6 Dated: October 13, 2015


UNITED STATES MAGISTRATE JUDGE

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