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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	JASON S. HARPER,	CASE NO. 1:14-cv-00115-AWI-MJS (PC)
12	Plaintiff,	ORDER GRANTING MOTION TO MODIFY
13	v.	DISCOVERY AND SCHEDULING ORDER
14	CALIFORNIA DEPARTMENT OF	(ECF No. 34)
15	CORRECTIONS AND REHABILITATION, et al.,	
16	Defendants.	
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18	Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil	
19	rights action brought pursuant to 42 U.S.C. § 1983. The action proceeds against	
20	Defendants Curry, Huffman, and Rivero on Plaintiff's First and Eighth Amendment	
21	claims. (ECF No. 12.)	
22	On October 2, 2014, the Court issued a discovery and scheduling order setting	
23	January 2, 2015 as the deadline for filing motions for summary judgment on the basis of	
24	failure to exhaust administrative remedies. (ECF No. 28.) On December 31, 2014,	
25	Defendants filed a motion to modify the discovery and scheduling order and to extend	
26	the exhaustion motion filing deadline to January 12, 2015. (ECF No. 34.) Defendants	
27	then filed their exhaustion motion on January 12, 2015. (ECF No. 35.)	
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1	Defendants have presented good cause for modifying the discovery and	
2	scheduling order to extend the exhaustion motion deadline. Accordingly, their motion	
3	(ECF No. 34) is HEREBY GRANTED. The deadline for filing motions for summary	
4	judgment on the basis of failure to exhaust administrative remedies is extended nunc pro	
5	tunc to and including January 12, 2015.	
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7	IT IS SO ORDERED.	
8	Dated: <u>January 20, 2015</u> Isl Michael J. Seng	
9	UNITED STATES MAGISTRATE JUDGE	
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