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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

RAYMOND BALDHOSKY,
Plaintiff,
vs.
VIDAL SANCHEZ, et al.,
Defendants.

Case No.: 1:14-cv-00166-LJO-MJS

**ORDER MODIFYING TRIAL
SCHEDULING ORDER**

District Judge: Hon. Lawrence J. O'Neill
Magistrate Judge: Hon. Michael J. Seng

OLD DATES:

Pretrial Telephonic Confirmation Hearing:
February 8, 2018, at 1:30 p.m. in
Courtroom 6 (MJS)

Jury Trial: April 10, 2018, at 8:30 a.m. in
Courtroom 4 (LJO)

NEW DATES:

Pretrial Telephonic Confirmation Hearing:
August 24, 2018, at 1:30 p.m. in
Courtroom 6 (MJS)

Jury Trial: October 23, 2018, at 8:30 a.m.
in Courtroom 4 (LJO)

**ORDER DIRECTING PARTIES TO
SUBMIT MODIFIED JOINT
SCHEDULING ORDER WITHIN THIRTY
(30) DAYS**

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Plaintiff proceeds with counsel in this civil rights case filed pursuant to 42 U.S.C. § 1983.

On May 22, 2017, Plaintiff's new counsel filed a motion to modify the scheduling order and trial date to allow Plaintiff additional time to conduct discovery. (ECF No. 61.) On May 23, 2017, the Court took the motion under submission, and further ordered the parties to file a joint scheduling order within seven days of the Court's order. (ECF No. 62.) On May 26, 2017, the parties filed a proposed joint scheduling order. (ECF No. 63.) On June 2, 2017, Defendants filed an opposition to Plaintiff's motion to modify the scheduling order. Defense counsel articulated numerous reasons why a modification of the scheduling order so close to trial without changing the trial date would result in prejudice to Defendants. (ECF No. 64.) In the alternative, Defendants asked to reschedule the trial.

On June 8, 2017, Plaintiff filed a reply in which he reiterates his desire to reschedule the trial. (ECF No. 65.)

In the interests of justice, and at the request of both parties, the Court finds it is appropriate to reschedule the trial in this case.

Accordingly, the Pretrial Telephonic Confirmation Hearing will take place on August 24, 2018, at 1:30 p.m. before the Magistrate Judge Michael Seng, or his successor, in Courtroom 6. Jury trial will commence on October 23, 2018 at 8:30 a.m. before the Honorable Lawrence O'Neill in Courtroom 4.

Furthermore, the parties are DIRECTED to submit to the Court a proposed joint scheduling order, in compliance with Rule 16 and Local Rule 240, within **thirty (30) days** of the date of this order. Specifically, the joint scheduling order should include proposed deadlines for the following events:

- Expert and Non-Expert Discovery and Disclosures
- Filing of Dispositive Motions

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- Filing of Joint Pretrial Conference Statement
- Motions in Limine and Oppositions thereto

IT IS SO ORDERED.

Dated: June 14, 2017

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE