

1 exhaust administrative remedies. Defendants assert that they require the Court's ruling on the
2 pending motion for summary judgment for the failure to exhaust administrative remedies, as that
3 ruling will potentially narrow the issues for Plaintiff's deposition and other discovery, and will
4 allow for a streamlined subsequent summary judgment motion, if any.

5 The Court finds good cause to grant the request, based on Defendants' diligence,
6 efficiency, and judicial economy. Fed. R. Civ. P. 16(b)(4).

7 Accordingly, it is HEREBY ORDERED that:

- 8 1. Defendants' second *ex parte* request to modify the discovery and scheduling order
9 (Doc. No. 73), is granted;
- 10 2. The discovery deadline of October 2, 2018, and the dispositive motion deadline of
11 December 3, 2018, are vacated; and
- 12 3. The Court will order new deadlines following a ruling on Defendants' motion for
13 summary judgment for the failure to exhaust administrative remedies.

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15 IT IS SO ORDERED.

16 Dated: September 26, 2018

17 /s/ Barbara A. McAuliffe
18 UNITED STATES MAGISTRATE JUDGE
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