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2
3 UNITED STATES DISTRICT COURT
4 EASTERN DISTRICT OF CALIFORNIA
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6 GUILLERMO CRUZ TRUJILLO,

7 Plaintiff,

8 v.

9 GOMEZ, et al.,

10 Defendants.
11

Case No. 1:14-cv-01370-LJO-EPG (PC)

ORDER AFTER INITIAL SCHEDULING
CONFERENCE

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13 Guillermo Cruz Trujillo (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma*
14 *pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. On June 14, 2017, the
15 Court held an Initial Scheduling Conference (“Conference”). Plaintiff telephonically appeared
16 on his own behalf. Counsel Derrek Lee telephonically appeared on behalf of Defendants.

17 During the conference, the parties discussed Defendants’ intention to file a motion to
18 dismiss or motion for summary judgment for non-exhaustion. All parties confirmed that no
19 further discovery was needed regarding this issue. The parties discussed their positions
20 regarding his issue. Without deciding this issue, this Court determined that the issue of non-
21 exhaustion should be resolved before the case proceeds in full.

22 For the reasons stated on the record at the Conference, IT IS HEREBY ORDERED
23 THAT:

- 24 1. Defendants have sixty days from the day of service of this order to file a
25 motion based on Plaintiff’s alleged failure to exhaust administrative
26 remedies. The Court will not open discovery or set a schedule in this case
27 until that motion is resolved (unless the deadline passes and no such motion
28 is filed);

