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

F.L. ODINSON CROWELL, Plaintiff, v. E. BEELER, Defendant.

Case No. 1:14-cv-01724-AWI-BAM (PC)
ORDER GRANTING DEFENDANT’S
MOTION TO MODIFY THE DISCOVERY
AND SCHEDULING ORDER
(ECF No. 29)
ORDER VACATING DEADLINES IN THE
DISCOVERY AND SCHEDULING ORDER
(ECF No. 13)

Plaintiff F.L. Odinson Crowell (“Plaintiff”) is state prisoner proceeding in this civil rights action pursuant to 42 U.S.C. § 1983. This matter currently proceeds on Plaintiff’s claim against Defendant E. Beeler for failure to provide a reasonable disability accommodation.

On October 16, 2015, Defendant Beeler filed a motion to modify the discovery and scheduling order in this case. (ECF No. 29.) Noting that Plaintiff’s motion for leave to amend his complaint is pending, and that he seeks to add additional parties and claims to this matter, Defendant Beeler seeks to extend the discovery deadline in this matter to fifty (50) days after the Court rules on Plaintiff’s motion. Defendant Beeler argues that if the Court grants Plaintiff’s motion and adds new parties, defense counsel will have to consult with those new parties and determine what additional discovery is required on their behalf. (ECF No. 29-1.) Defense Counsel

1 further indicates that this is an agreed motion, as he has conferred with Plaintiff's counsel, who is
2 amendable to this request.

3 Pursuant to Federal Rule of Civil Procedure 16(b), a scheduling order may be modified
4 upon a showing of good cause. Fed.R.Civ.P. 16(b)(4). Given the pending motion to amend the
5 complaint, the Court finds it appropriate to vacate the discovery cut-off date and the dispositive
6 motion deadline in the February 17, 2015 scheduling order. (ECF No. 13.) Once the motion to
7 amend has been resolved and the complaint has been finalized, the Court will issue an amended
8 discovery and scheduling order for the completion of discovery and the filing of dispositive
9 motions as appropriate, including providing fifty (50) days for completing discovery and any
10 discovery-related motions.

11 Accordingly, IT IS HEREBY ORDERED that Defendant Beeler's motion to modify
12 discovery and scheduling order is GRANTED. The discovery cut-off date and dispositive motion
13 deadline set forth in the February 17, 2015 scheduling order are VACATED.

14
15 IT IS SO ORDERED.

16 Dated: October 29, 2015

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