

1 1091 n.5 (9th Cir. 2009) (quotation marks and citation omitted); Getz v. Boeing Co., 654 F.3d 852,
2 867-868 (9th Cir. 2011); Tatum v. City and County of San Francisco, 441 F.3d 1090, 1100-1101 (9th
3 Cir. 2006). Plaintiff has made no such showing and his bare desire to complete discovery before
4 responding to Defendants' motion does not entitle him to relief under Rule 56(d). Naoko Ohno v.
5 Yuko Yasuma, 723 F.3d 984, 1013 n.29 (9th Cir. 2013) (evidence to be sought through discovery
6 must be based on more than mere speculation). Moreover, Plaintiff failed to diligently pursue
7 discovery in this action. As stated in the Court's April 30, 2018 order, discovery in this case was open
8 from June 8, 2017 to February 8, 2018, and Plaintiff did not file his first discovery request until
9 January 31, 2018. (ECF No. 99 at 4.) Plaintiff has had ample time to request discovery and timely file
10 any motions to compel. Accordingly, Plaintiff Rule 56(d) motion shall be denied. However, on the
11 basis of good cause, the Court will grant Plaintiff an extension of time to file an opposition to
12 Defendants' pending motion for summary judgment.

13 Accordingly, it is HEREBY ORDERED that:

- 14 1. Plaintiff's Rule 56(d) motion is denied; and
- 15 2. Plaintiff is granted thirty (30) days from the date of service of this order to file an
16 opposition to Defendants' motion for summary judgment.

17
18 IT IS SO ORDERED.

19 Dated: September 24, 2018



UNITED STATES MAGISTRATE JUDGE