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8	IN THE UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	CUCTANO TODDEC	C N- 1.15 00575 DLD (DC)
12	GUSTAVO TORRES,	Case No. 1:15-cv-00575-DLB (PC)
13	Plaintiff,	ORDER GRANTING DEFENDANTS' EX PARTE REQUEST FOR LEAVE TO FILE PRE-ANSWER MOTION FOR
14	v.	SUMMARY JUDGMENT
		SCHAINTING SCENIER (1
15	G. ARELLANO, et al.,	(Document 22)
15 16	G. ARELLANO, et al., Defendants.	
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16	Defendants.	
16 17	Defendants.	(Document 22) "Defendants") have filed an <i>ex parte</i> Application
16 17 18	Defendants. Defendants G. Arellano and R. Montanez (("Defendants") have filed an <i>ex parte</i> Application y judgment based on failure to exhaust
16 17 18 19	Defendants. Defendants G. Arellano and R. Montanez (for leave to file a pre-answer motion for summar	("Defendants") have filed an <i>ex parte</i> Application y judgment based on failure to exhaust time in which to file their response to the
16 17 18 19 20	Defendants. Defendants G. Arellano and R. Montanez (for leave to file a pre-answer motion for summar administrative remedies and for an extension of t	("Defendants") have filed an <i>ex parte</i> Application y judgment based on failure to exhaust time in which to file their response to the in for summary judgment. Having considered the
16 17 18 19 20 21	Defendants G. Arellano and R. Montanez (for leave to file a pre-answer motion for summar administrative remedies and for an extension of t Complaint until after adjudication of their motion	("Defendants") have filed an <i>ex parte</i> Application y judgment based on failure to exhaust time in which to file their response to the for summary judgment. Having considered the NT the request.
16 17 18 19 20 21 22	Defendants G. Arellano and R. Montanez (for leave to file a pre-answer motion for summar administrative remedies and for an extension of t Complaint until after adjudication of their motion Application, the Court finds good cause to GRA Accordingly, IT IS HEREBY ORDEREI	("Defendants") have filed an <i>ex parte</i> Application y judgment based on failure to exhaust time in which to file their response to the for summary judgment. Having considered the NT the request.
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16 17 18 19 20 21 22 23 24 25	Defendants G. Arellano and R. Montanez (for leave to file a pre-answer motion for summar administrative remedies and for an extension of t Complaint until after adjudication of their motion Application, the Court finds good cause to GRA Accordingly, IT IS HEREBY ORDEREI 1. Within forty-five days of the date of motion for summary judgment exclusively on the	("Defendants") have filed an <i>ex parte</i> Application y judgment based on failure to exhaust time in which to file their response to the for summary judgment. Having considered the NT the request. O THAT: this Order, Defendants shall file and serve a existe of whether Plaintiff Gustavo Torres es as required by the Prison Litigation Reform
16 17 18 19 20 21 22 23 24 25 26	Defendants G. Arellano and R. Montanez (for leave to file a pre-answer motion for summar administrative remedies and for an extension of t Complaint until after adjudication of their motion Application, the Court finds good cause to GRA Accordingly, IT IS HEREBY ORDEREI 1. Within forty-five days of the date of motion for summary judgment exclusively on the ("Plaintiff") exhausted his administrative remedie Act, 42 U.S.C. § 1997e(a) (hereinafter, "exhausting	("Defendants") have filed an <i>ex parte</i> Application y judgment based on failure to exhaust time in which to file their response to the for summary judgment. Having considered the NT the request. O THAT: this Order, Defendants shall file and serve a existe of whether Plaintiff Gustavo Torres es as required by the Prison Litigation Reform

1	2. Defendants' exhaustion motion for summary judgment shall not preclude Defendants	
2	or Plaintiff from filing a motion for summary judgment on the merits of Plaintiff's claims should	
3	the case proceed after adjudication of the exhaustion motion for summary judgment; and	
4	3. If Defendants' exhaustion motion for summary judgment is denied in whole or in	
5	part, Defendants shall respond to any remaining claims—in the form of an answer or a motion to	
6	dismiss under Federal Rule of Civil Procedure 12—within fourteen days after the Court issues an	
7	order ruling on the exhaustion motion for summary judgment.	
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9	IT IS SO ORDERED.	
10	Dated: November 30, 2015 /s/ Dennis L. Beck	
11	UNITED STATES MAGISTRATE JUDGE	
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