## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

JESSE WASHINGTON,	Case No.: 1:15-cv-00725-DAD-BAM (PC)
Plaintiff, v.	ORDER GRANTING DEFENDANTS' SECOND MOTION TO MODIFY THE DISCOVERY AND SCHEDULING ORDER
P. ROUCH, et al.,  Defendants.	(ECF No. 33)

Plaintiff Jesse Washington is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This case currently proceeds on Plaintiff's Eighth Amendment claim of deliberate indifference to his medical needs against Defendants Rouch and Sisodia.

Previously in this matter, the Court granted Defendants' motion to modify the discovery and scheduling order to extend the dispositive motion deadline until December 15, 2017, to allow defense counsel additional time to receive, review, and evaluate certain discovery responses. (ECF No. 31, at p. 11.)

Currently before the Court is Defendants' second motion to modify the discovery and scheduling order, filed on December 13, 2017. (ECF No. 33.) Defendant seeks an extension of time until January 5, 2018 to file a dispositive motion. In support, defense counsel declares that she has

been diligently preparing a motion for summary judgment, which is complex and requires several declarations in support of the motion. Additional time is needed to finalize the declarations, and some delays are anticipated in reviewing, executing, and receiving executed declarations due to the upcoming holidays.

Plaintiff has not yet responded to the motion to modify the discovery and scheduling order, but the Court finds no response is necessary. Local Rule 230(1). Plaintiff will not be prejudiced by the brief extension of time here, which shall be equally applied to both parties.

Good cause being shown, Defendants' motion to modify the discovery and scheduling order is HEREBY GRANTED. The deadline for filing all dispositive motions (other than a motion for summary judgment for failure to exhaust) is extended to **January 5, 2018**.

IT IS SO ORDERED.

Dated: December 14, 2017 /s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE.