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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAMIAN T. DOSTER,
Plaintiff,
vs.
BEARD, et al.,
Defendants.

1:15-cv-01415-DAD-GSA-PC
ORDER GRANTING DEFENDANTS’
REQUEST TO WITHDRAW MOTION TO
COMPEL INITIAL DISCLOSURES
(ECF No. 26.)
ORDER WITHDRAWING MOTION TO
COMPEL FROM COURT’S CALENDAR
(ECF No. 24.)

Damian T. Doster (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This case now proceeds with Plaintiff’s First Amended Complaint filed on March 25, 2016, against defendants Chief Deputy Warden F. Vasquez, Yard Captain P. Llamas, Sgt. Sarah Leon, and Maintenance Engineer Ric Pavich (collectively, “Defendants”), on Plaintiff’s claims for adverse conditions of confinement under the Eighth Amendment and related negligence claims. (ECF No. 13.) This case is presently in the discovery phase.

On September 6, 2016, Defendants filed a motion to compel Plaintiff to provide initial disclosures, and for sanctions. (ECF No. 24.) On September 14, 2016, Defendants filed a motion to withdraw the motion to compel. (ECF No. 26.) Defendants state that they received

1 Plaintiff's initial disclosures on September 13, 2016, and as a result, they request to withdraw
2 their motion to compel. The Court finds good cause to grant Defendants' request to withdraw
3 the motion from the Court's calendar.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Defendants' request to withdraw their motion to compel, filed on September 14,
6 2016, is GRANTED; and
- 7 2. Defendants' motion to compel initial disclosures and for sanctions, filed on
8 September 6, 2016, is WITHDRAWN from the Court's calendar.

9
10 IT IS SO ORDERED.

11 Dated: September 27, 2016

/s/ Gary S. Austin
12 UNITED STATES MAGISTRATE JUDGE