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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**

7 EDWARD LUNA,) Case No.: 1:16-cv-00313-LJO-SAB (PC)
8 Plaintiff,)
9 v.) ORDER GRANTING DEFENDANTS’ REQUEST
10 DR. MOON, et al.,) TO MODIFY THE DISCOVERY AND
11 Defendants.) SCHEDULING ORDER AND EXTENDING THE
12) DEADLINE TO FILE AN EXHAUSTION
) MOTION FOR SUMMARY JUDGMENT
) [ECF No. 34]

13 Plaintiff is a state prisoner proceeding pro se and in forma pauperis pursuant to 42 U.S.C. §
14 1983.

15 Currently before the Court is Defendants’ motion to vacate and amend the discovery and
16 scheduling order, filed May 21, 2018. Defendants indicate that more time is necessary before filing a
17 motion for summary judgment for failure to exhaust the administrative remedies. Defendants submit
18 that on May 17, 2018, they propounded a Request for Production of Documents on Plaintiff relating to
19 exhaustion of the administrative remedies. (Declaration of Susana P. Solano ¶ 3, ECF No. 35.)
20 Defendants request the Court vacate and reissue the March 30, 2018, discovery and scheduling order.

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Based on the showing of good cause, the Court will extend the deadline to file an exhaustion motion for summary judgment to **August 1, 2018**. However, at this time, the Court does not find cause to extend the other deadlines, and all other deadlines set forth in the Court's March 30, 2018, discovery and scheduling order remain in full force and effect.

IT IS SO ORDERED.

Dated: May 21, 2018



UNITED STATES MAGISTRATE JUDGE