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

STEWART MANAGO,
Plaintiff,

vs.

D. DAVEY, et al.,
Defendants.

1:16-cv-00399-LJO-GSA-PC

**ORDER VACATING ORDER REQUIRING
PARTIES TO INFORM COURT OF STATUS OF
PLAINTIFF’S CRIMINAL TRIAL EVERY
THREE MONTHS
(ECF No. 115.)**

**ORDER LIFTING STAY OF DEADLINES
(ECF No. 118.)**

New Discovery deadline: 01/29/19

New Dispositive Motions filing deadline: 03/29/19

Stewart Manago (“Plaintiff”) is a prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action filed pursuant to 42 U.S.C. § 1983. This case now proceeds with the First Amended Complaint filed by Plaintiff on April 18, 2016, against defendants J. Acevedo, D. Davey, A. Maxfield, E. Razo, M.V. Sexton, A. Valdez, and J. Vanderpoel (collectively, “Defendants”), on Plaintiff’s First Amendment retaliation claims. (ECF No. 13.)

On November 5, 2018, the court issued an order vacating the settlement conference scheduled for November 6, 2018 at 10:30 a.m. in this case due to the unavailability of a video

1 conference at any of the San Bernardino County Jail facilities.¹ (ECF No. 127.) In the order,
2 defense counsel was directed to advise the court if and when a settlement conference may be
3 re-scheduled in this case. (Id.) In light of this order the court shall vacate its order requiring
4 the parties to notify the court every three months of the status of Plaintiff's criminal trial (ECF
5 No. 115), and shall lift the stay of deadlines for discovery and the filing of dispositive motions.
6 (ECF No. 118).

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The court's order issued on April 23, 2018, which required the parties to notify
9 the court in writing of the status of Plaintiff's criminal trial every three months,
10 is VACATED;
- 11 2. The stay of deadlines for discovery and for filing dispositive motions pending
12 resolution of the settlement conference, imposed by the court on May 1, 2018, is
13 LIFTED;
- 14 3. The new deadline for completion of discovery, including the filing of motions to
15 compel, is **January 29, 2019**;
- 16 4. The new deadline for filing dispositive motions is **March 29, 2019**; and
- 17 5. All other provisions of the court's August 9, 2016, Discovery and Scheduling
18 Order remain the same.

19
20 IT IS SO ORDERED.

21 Dated: **November 6, 2018**

22 **/s/ Gary S. Austin**
23 UNITED STATES MAGISTRATE JUDGE
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28 ¹ Plaintiff is currently detained at the West Valley Detention Center, 9500 N. Etiwanda Ave.,
Rancho Cucamonga, CA 91739, (ECF No. 124), in the custody of the San Bernardino County Sheriff.