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8	UNITED STATE	S DISTRICT COURT
9	EASTERN DIST	RICT OF CALIFORNIA
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11	DAVID FLYNN,	Case No. 1:16-cv-01052-AWI-BAM (PC)
12	Plaintiff,	ORDER GRANTING DEFENDANTS'
13	v.	SECOND REQUEST FOR EXTENSION OF TIME TO FILE MOTION FOR SUMMARY
14	CANLAS, et al.,	JUDGMENT
15	Defendants.	(ECF No. 44)
16		Dispositive Motion Deadline: September 14, 2018
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18	Plaintiff David Flynn ("Plaintiff") is a	a former state prisoner proceeding pro se and in
19	forma pauperis in this civil rights action purs	uant to 42 U.S.C. § 1983. Plaintiff was a prisoner at
20	the time this action was initiated. This action	n proceeds against Defendant Maddox for deliberate
21	indifference to serious medical needs in viola	tion of the Eighth Amendment.
22	Pursuant to the Court's May 23, 2018	order, the deadline for filing all dispositive motions
23	(other than a motion for summary judgment f	For failure to exhaust) is July 27, 2018. (ECF No.
24	38.)	
25	Currently before the Court is Defenda	ant Maddox's second request for an extension of the
26	dispositive motion deadline. (ECF No. 44.)	Defendant explains that defense counsel only
27	recently located Defendant Maddox in order to evaluation the potential merits of a summary	
28	judgment motion on her behalf, and has deter	mined that a motion for summary judgment is
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1	appropriate. Defendant therefore requests an extension of the dispositive motion deadline to	
2	September 14, 2018. (Id.) Plaintiff has not yet had the opportunity to file a response, but the	
3	Court finds a response is unnecessary. The motion is deemed submitted. Local Rule 230(1).	
4	Upon review of the request, the Court finds that Defendant has shown good cause for	
5	modifying the scheduling order in this matter. Fed. R. Civ. P. 16(b)(4). Given the outstanding	
6	discovery responses due from Defendant Maddox, the Court finds that Plaintiff will not be	
7	prejudiced by the brief extension requested here.	
8	Accordingly, IT IS HEREBY ORDERED as follows:	
9	1. Defendant's motion for extension of time, (ECF No. 44), is GRANTED; and	
10	2. All dispositive motions (other than a motion for summary judgment for failure to	
11	exhaust) shall be filed on or before September 14, 2018.	
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13	IT IS SO ORDERED.	
14	Dated: August 21, 2018 /s/ Barbara A. McAuliffe	
	UNITED STATES MAGISTRATE JUDGE	
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