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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESUS BONILLA CASTANEDA,
Plaintiff,
v.
SHERMAN, et al.,
Defendants.

1:16-cv-01562-LJO-SKO (PC)

**ORDER GRANTING DEFENDANTS’
MOTION TO MODIFY DISCOVERY
AND SCHEDULING ORDER**

(Doc. 63)

Defendants move to modify the Court’s discovery and scheduling order pursuant to Federal Rule of Civil Procedure 16. (Doc. 63.) Defendants request that the pre-trial dispositive motion deadline be stayed until after the Court rules on Defendants’ pending motion for summary judgment (MSJ) based on failure to exhaust. (*Id.*) Currently, the dispositive motion deadline is January 6, 2020. (Doc. 55 at 3.) The deadline for Plaintiff to file an opposition or statement of non-opposition to Defendants’ motion to modify the scheduling order has not yet passed; however, the Court finds neither necessary here and deems the motion submitted.

The defendants filed their exhaustion-based MSJ on August 29, 2019. (Doc. 56.) On September 16, 2019, the Court granted Plaintiff an extension of time to file an opposition to Defendants’ motion. (Doc. 58.) Plaintiff filed an opposition on November 6, 2019, and Defendants filed a reply. (Docs. 60-62.)

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Defendants contend that adjudication of their MSJ may dispose of Plaintiff’s claims against six of the seven defendants. (Doc. 56-2 at 3). They therefore contend that the Court should stay the dispositive motion deadline to avoid having the parties prepare another dispositive motion on behalf of all the defendants before the current one is adjudicated. (*Id.*) As stated above, the current dispositive motion deadline is January 6, 2020—approximately two weeks away.

The Court finds good cause to grant Defendants’ request. Accordingly, the Court

ORDERS:

1. Defendants’ motion to modify the discovery and scheduling order, (Doc. 63), is **GRANTED**.
2. The pre-trial dispositive motion deadline is **VACATED**, to be reset if and when appropriate.

IT IS SO ORDERED.

Dated: December 23, 2019

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE