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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MALCOLM TANDY LAMON STROUD,
Plaintiff,
v.
PRUITT, *et al.*,
Defendants.

Case No. 1:17-cv-01659-JLT-BAM (PC)
**ORDER RESETTING DISCOVERY AND
DISPOSITIVE MOTION DEADLINES**
Discovery Deadline: **June 21, 2024**
Dispositive Motion Deadline: **August 23, 2024**

Plaintiff Malcolm Tandy Lamon Stroud, aka Treasure Stroud, (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s first amended complaint against Defendant Pruitt for sexual abuse in violation of the Eighth Amendment and against Defendants Pruitt and Smith for discrimination in violation of the Equal Protection Clause of the Fourteenth Amendment.

On April 29, 2020, the Court vacated the discovery and dispositive motion deadlines in order to resolve Defendants’ pending motion for summary judgment for failure to exhaust administrative remedies. (ECF No. 40.) The motion for summary judgment for failure to exhaust was denied, without prejudice to refile a second motion for summary judgment related to the availability of administrative remedies¹ by the District Judge’s March 21, 2024 order adopting the

¹ The District Judge noted that if the defense contemplates a second such motion, they SHALL specifically address the evidence provided by Plaintiff related to her inquiries into the 602 grievance she claims to have submitted on December 8, 2015. (ECF No. 50, p. 2. n.2.)

1 February 26, 2024 findings and recommendations in full. (ECF No. 50.)

2 Accordingly, the Court finds it appropriate and necessary to reset the discovery and
3 dispositive motion deadlines. Fed. R. Civ. P. 16.

4 Based on the foregoing, IT IS HEREBY ORDERED that:

- 5 1. The deadline for the completion of all discovery, including filing all motions to
6 compel discovery, shall be **June 21, 2024**. Absent good cause, discovery motions will
7 not be considered if filed after the discovery deadline. Therefore, discovery requests
8 and deposition notices must be served sufficiently in advance of the discovery
9 deadline to permit time for a response and time to prepare and file a motion to compel.
- 10 2. The deadline for filing all dispositive motions (including any second motion for
11 summary judgment related to the availability of administrative remedies) shall be
12 **August 23, 2024**.
- 13 3. Any request for an extension of these deadlines must be filed on or before the
14 expiration of the deadline. However, the parties are advised that an extension of time
15 will only be granted upon a clear showing of good cause.

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17 IT IS SO ORDERED.

18 Dated: March 22, 2024

/s/ Barbara A. McAuliffe
19 UNITED STATES MAGISTRATE JUDGE

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