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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	MICHAEL MADDEN, Successor-in-	Case No. 1:18-cv-00255-ADA-BAM (PC)
12	Interest to Ryan P. Madden, <i>et al.</i> ,	ORDER GRANTING DEFENDANTS'
13	Plaintiffs,	SECOND REQUEST FOR EXTENSION OF TIME TO SERVE PLAINTIFFS WITH THEIR DISCOVERY RESPONSES
14	V.	
15	HICKS, <i>et al.</i> , Defendants.	(ECF No. 66)
16	Defendants.	Defendants' Discovery Responses Due: September 15, 2023
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18	Plaintiffs Michael Madden and Kathleen "Kathy" Madden ("Plaintiffs"), as Successors-in-	
19	Interest to Ryan P. Madden, are proceeding pro se and in forma pauperis in this civil rights action	
20	pursuant to 42 U.S.C. § 1983. This action proceeds against Defendant Hicks for excessive force	
21	and assault and battery claims, and against Defendants Silva and Hicks for California Bane Act	
22	and retaliation claims.	
23	Currently before the Court is Defendants' request for a second twenty-one-day extension	
24	of time, up to and including September 8, 2023, to respond to Plaintiffs' first set of requests for	
25	production of documents to Defendants Silva and Hicks. (ECF No. 66.) Defendants have	
26	completed their responses to Plaintiff's requests for admissions and interrogatories, and	
27	anticipated timely serving those responses on Plaintiffs by the end of the day on August 18, 2023.	
28	Defendants also substantially completed their responses to Plaintiffs' requests for production of	
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documents. However, in order to respond to Plaintiffs' requests for production of documents,
Defendants requested and recently received approximately 36,000 emails from CDCR, and
Defendants' counsel requires additional time to review each of these emails in order to determine
how many are responsive and to redact any confidential information and/or assert any necessary
objections. Defendants therefore request an extension of time, up to and including September 8,
2023, to serve Plaintiffs with their written discovery responses. (*Id.*) Defendants did not attempt
to contact Plaintiffs before submitting their request.

8 Plaintiffs did not file an opposition or otherwise respond to Defendants' motion, and the
9 deadline to do so has now expired. Accordingly, the Court construes the motion as unopposed
10 and the motion is deemed submitted. Local Rule 230(1).

11 Having considered the request, and in light of Plaintiffs' apparent non-opposition, the 12 Court finds good cause to extend the deadline for Defendants to respond to Plaintiffs' discovery 13 requests, specifically Plaintiffs' First Sets of Requests for Production of Documents. As the 14 requested deadline of September 8, 2023 has already expired, the Court finds it appropriate to 15 extend the deadline until September 15, 2023 to allow Defendants to serve the remainder of their 16 responses, if they have not already done so. The Court further finds that Plaintiffs will not be 17 prejudiced by the brief extension of time granted here, as responses will still be received well 18 before the deadline for completion of all discovery.

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Accordingly, IT IS HEREBY ORDERED as follows:

Defendants' second request for an extension of time to respond to Plaintiffs' discovery
 requests, (ECF No. 68), as described above, is GRANTED; and

2. Defendants' responses shall be served on Plaintiffs on or before **September 15, 2023**.

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IT IS SO ORDERED.

Dated: September 12, 2023

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Is/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE