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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID PHILLIPS-KERLEY,

Case No. 1:18-cv-00438-AWI-BAM

Plaintiff,

**ORDER SETTING STATUS
CONFERENCE AND STAYING
DISCOVERY**

v.

CITY OF FRESNO FIRE DEPARTMENT,
et al.,

Defendants.

_____ /

By separate order, the Court has granted the motion of Ronald P. Ackerman and Oshea V. Orchid of Public Employees Legal, LLP and Allison Schulman of the Law Offices of Allison M. Schulman, APC to withdraw as attorney of record for Plaintiff David Phillips-Kerley (“Plaintiff”). Plaintiff has been substituted *in propria persona* in place and stead of Mr. Ackerman, Ms. Orchid, and Ms. Schulman and is no longer represented by counsel. In light of the substitution, Plaintiff will be granted a brief extension of time to secure new counsel or to otherwise determine how he would like to proceed in this action. Additionally, discovery is stayed and any remedies available to Defendant for Plaintiff’s failure to provide timely initial disclosures are preserved.

Accordingly, the Court sets a TELEPHONIC STATUS CONFERENCE in this matter for **November 9, 2020, at 10:00 AM in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe**. The purpose of the conference will be to address whether Plaintiff has secured new counsel or intends to represent himself *in propria persona*, whether the stay of discovery should be

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lifted, and whether the Scheduling Order in this case requires modification. The parties shall appear at the conference by telephone with each party using the following dial-in number and access code: **dial-in number 1-877-411-9748; access code 3219139.**

Plaintiff is cautioned that the failure to appear at the conference may result in the imposition of sanctions, including terminating sanctions. A copy of this Order will be served on Plaintiff at his last known address.

IT IS SO ORDERED.

Dated: October 2, 2020

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE