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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

10
11 KENTRELL WILLIAMS,
12 Plaintiff,

13 vs.

14 ADAMS, et al.,
15 Defendants.

1:19-cv-01058-ADA-GSA-PC

**ORDER IN RESPONSE TO DEFENDANTS’
REQUEST FOR CLARIFICATION**

(ECF No. 53.)

**ORDER CLARIFYING THAT THE
COURT’S JANUARY 6, 2023 ORDER DID
NOT EXTEND TIME FOR THE PARTIES
TO CONDUCT ALL FACT DISCOVERY
AT THIS STAGE OF THE PROCEEDINGS,
BUT ONLY TO CONDUCT LIMITED-
PURPOSE DISCOVERY ON THE ISSUE OF
EXHAUSTION OF ADMINISTRATIVE
REMEDIES**

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22 Kentrell Williams (“Plaintiff”) is proceeding with counsel in this civil rights action
23 pursuant to 42 U.S.C. § 1983.

24 On January 17, 2023, Defendants Kendrick, Sherwood and Busby filed a request for
25 clarification of the Court’s order issued on January 6, 2023. (ECF No. 53.) Specifically,
26 Defendants seek clarification of whether the Court granted Plaintiff’s December 30, 2022 request
27 to conduct fact discovery, or granted the parties an extension of time to conduct only limited-
28 purpose discovery on the issue of exhaustion of administrative remedies.

1 Defense counsel declares that she interpreted Plaintiff’s December 30, 2022 request as
2 seeking an extension of all fact discovery until March 5, 2023, whereas the Court’s January 6,
3 2023 order grants Plaintiff’s request but also specifically states that only discovery limited to the
4 issue of exhaustion is extended. (Declaration of Kandice Jung, ECF No. 53 at 3 ¶¶2, 3.) Defense
5 counsel explains that as of the date of the request for clarification, Plaintiff has propounded one
6 set of requests for production of documents, and Defendants’ responses will necessarily change
7 if the Court has only extended limited discovery on the issue of exhaustion. (Id. at 3 ¶5.)

8 The Court regrets any ambiguity in its January 6, 2023 order. The order did not grant
9 Plaintiff’s request to conduct all fact discovery. The January 6, 2023 order granted Plaintiff’s
10 request for extension of time until March 5, 2023 in which to file an opposition to Defendants’
11 motion for summary judgment, and granted Defendants an extension of time to file a reply to
12 Plaintiff’s opposition until 20 days from the date of filing of the opposition. To be clear, the
13 January 6, 2023 order did not grant Plaintiff’s request to conduct fact discovery at this stage of
14 the proceedings. The order only allowed the parties to conduct *limited-purpose discovery* on the
15 issues of exhaustion of administrative remedies pending the parties’ deadlines to file their
16 opposition and reply.

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18 IT IS SO ORDERED.

19 Dated: January 18, 2023

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE