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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
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10 MARK ANTHONY BROWN,
11 Plaintiff,
12 v.
13 A. JARAMILLO, et al.,
14 Defendants.
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Case No. 1:20-cv-00661-NONE-EPG (PC)
ORDER GRANTING MOTION TO STAY
DISCOVERY AND MODIFY THE
SCHEDULING ORDER
(ECF NO. 76)

16 Plaintiff Mark Anthony Brown is a state prisoner proceeding *pro se* and *in forma*
17 *pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. On September 28, 2021,
18 Defendants filed a motion to stay discovery and to modify the scheduling order. (ECF No. 76).
19 “This Motion is made on the grounds that: (1) Defendants’ motion for summary judgment for
20 failure to exhaust administrative remedies will potentially dispose of the entire case; (2) the
21 parties and the Court do not require additional information to decide the motion; and (3) the
22 expenditure of resources required to conduct discovery and litigating a summary judgment
23 motion on the merits will be needless if the Court finds that Plaintiff failed to exhaust his
24 administrative remedies.” (*Id.* at 1-2). Defendants seek to vacate the discovery and dispositive
25 motion deadlines pending resolution of their motion for summary judgment.¹ (*Id.* at 1; see ECF
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27 ¹ The Court understands the motion to request to vacate the *future* dispositive motions deadline of
28 March 30, 2022, not any of the deadlines for filing opposition or reply briefs in support of the *current*
motion for summary judgment on the issue of exhaustion. (*See* ECF No. 66). Under Local Rule 230(1),

1 No. 75).

2 The Court finds good cause to grant the motion. (ECF No. 76). Accordingly, IT IS
3 ORDERED that all upcoming discovery and dispositive motion deadlines are vacated. (*See*
4 ECF No. 66). However, the Court may reset the vacated deadlines, if warranted, prior to the
5 resolution of Defendants' motion for summary judgment on the issue of exhaustion.

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7 IT IS SO ORDERED.

8 Dated: September 29, 2021

9 */s/ Eric P. Gray*
10 UNITED STATES MAGISTRATE JUDGE

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28 Plaintiff has up to 21-days after service of Defendants' motion for summary judgment on the issue of
exhaustion to file his opposition brief.