

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

DAMEN D. RABB,

Plaintiff,

v.

CABRERA, *et al.*,

Defendants.

Case No. 1:23-cv-01014-KES-BAM (PC)

**ORDER DIRECTING DEFENDANT TO FILE  
RESPONSE TO PLAINTIFF'S MOTION FOR  
EXTENSION OF TIME FOR DEPOSITION**

(ECF No. 44)

**FOURTEEN (14) DAY DEADLINE**

Plaintiff Damen D. Rabb ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983. This action proceeds on Plaintiff's first amended complaint against Defendant Cabrera for failure to protect in violation of the Eighth Amendment.

Pursuant to the Court's February 6, 2025 order granting Defendant's motion to modify scheduling order, the deadline for completion of all discovery is May 7, 2025. (ECF No. 43.)

Currently before the Court is Plaintiff's motion for a thirty (30) day extension to prepare for his deposition, currently noticed for April 2, 2025. (ECF No. 44.) Plaintiff states that he has other engagements scheduled on April 2, 2025, in addition to needing the additional thirty days to gather documentation needed during the deposition itself. (*Id.*)

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1 The Court finds it appropriate for Defendant to file a response to Plaintiff's motion.  
2 Defendant should address whether there is any opposition to Plaintiff's request, whether  
3 Plaintiff's deposition can be rescheduled to another date that is amenable to both parties, and  
4 whether any further extension of the discovery or dispositive motion deadlines is necessary in  
5 light of Plaintiff's request. Defendant should attempt to meet and confer with Plaintiff as  
6 necessary and appropriate in preparing the response.

7 Accordingly, Defendant is HEREBY ORDERED to file a response to Plaintiff's motion  
8 for extension of time for deposition, (ECF No. 44), within **fourteen (14) days** from the date of  
9 service of this order.

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11 IT IS SO ORDERED.

12 Dated: March 10, 2025

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