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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 REX CHAPPELL,

11 Plaintiff,

No. 2:01-cv-01979 FCD KJN

12 vs.

13 SAM BESS, et al.,

14 Defendants.

ORDER

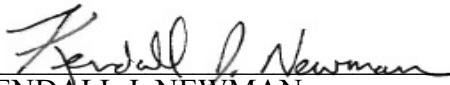
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16 Defense counsel seeks clarification of the court's scheduling orders in this action.  
17 On September 14, 2010, at the parties' joint request, the court again extended deadlines for  
18 conducting discovery and filing dispositive motions. (Dkt. No. 159.) The court had previously  
19 required the parties to inform the court, by a date certain, whether they intended to file a  
20 dispositive motion (Dkt. No. 148), but did not repeat this requirement in its most recent  
21 scheduling order. The requirement had been imposed in an effort to expedite resolution of this  
22 nearly decade-old case. However, it now appears that the parties are equally motivated, and thus  
23 advance notice to the court will not be required.

24 Accordingly, no party need inform the court whether he or she intends to file a  
25 dispositive motion, but shall comply with the notice and briefing requirements and deadlines set  
26 forth in Local Rule 230. Upon review of the papers, the court will decide whether to convene the

1 noticed hearing or decide the motion on the papers.

2 SO ORDERED.

3 DATED: October 13, 2010

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7 KENDALL J. NEWMAN  
8 UNITED STATES MAGISTRATE JUDGE  
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