

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JEFFREY MARSHALL,

Plaintiff,

v.

CASTRO, et al.,

Defendants.

No. 2:04-CV-01657-AK

ORDER

This court's recent appointment of counsel for Jeffrey Marshall (docket entry 191) creates good cause to adopt the parties' joint proposed scheduling plan reopening discovery and rescheduling trial (docket entry 195). See Fed. R. Civ. P. 16(b)(4). Accordingly:

1. This case is no longer designated a Prison Action. See E.D. Cal. R. 230(1).
2. Each party may serve written discovery requests, including subpoenas, requests for admissions, requests for production and up to 25 written interrogatories.
3. Mr. Marshall may depose James Castro and Leonard Molloy. Defendants may reopen Mr. Marshall's deposition and depose him on any topic that they

uncover during discovery and were not aware of when they took Mr. Marshall's February 10, 2006 deposition (docket entry 113). Subject to Fed. R. Civ. P. 30, both parties may depose percipient witnesses.

4. Fact discovery will end on November 30, 2010. All motions to compel discovery shall be filed by that date.

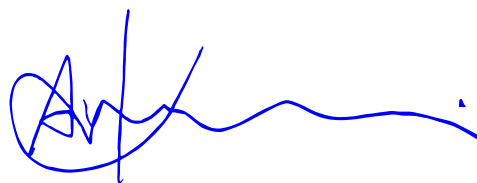
5. Simultaneous expert disclosures are due on December 31, 2010. Supplemental simultaneous expert disclosures are due by January 18, 2011.

6. Expert depositions must be taken by February 18, 2011. All motions to compel expert discovery shall be filed by that date.

7. All pretrial motions, except motions to compel discovery and motions in limine, must be filed no later than March 15, 2011.

8. Trial is rescheduled in this matter to April 26, 2011 at 10:00 a.m. in a courtroom, to be determined, at the Robert T. Matsui United States Courthouse in Sacramento.

September 13, 2010



ALEX KOZINSKI
Chief Circuit Judge
Sitting by designation