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

ROBERT GUY BAKER,

Plaintiff,

No. CIV S-05-1669 JAM KJM P

vs.

SCOTT KERNAN, et al.,

Defendants.

ORDER

_____ /

On March 12, 2009, plaintiff filed a motion asking that the court order defendant Kernan to respond to plaintiff's interrogatories, which plaintiff asserts he submitted to Kernan on February 2, 2009. Plaintiff's motion was premature as defendant Kernan had forty-five days from the date of service of the interrogatories to respond. See January 29, 2009 Discovery Order. Therefore, plaintiff's motion will be denied.

Defendant Kernan timely has sought an extension of time until April 22, 2009 to respond to plaintiff's interrogatories and requests for production. Good cause appearing, that request will be granted.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's March 12, 2009 motion to compel (#91) is denied.
2. Defendant Kernan's request for an extension of time to respond to plaintiff's interrogatories and requests for production (#92) is granted.
3. Defendant Kernan shall serve his responses to plaintiff's interrogatories and requests for production no later than April 22, 2009.

DATED: April 6, 2009.



U.S. MAGISTRATE JUDGE

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