

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

DANIEL J. MASTERSON,  
Plaintiff,  
vs.  
SILVIA HUERTA-GARCIA, et al.,  
Defendants.

Case No. 2:07-cv-01307-KJD-PAL

**ORDER**

(Mtn for Scheduling Order - Dkt. #65)  
(Mtn to Extend Time - Dkt. #67)

This matter is before the court on Plaintiff’s Motion to Request Issuance of Scheduling Order and Ruling (Dkt. #65) and Plaintiff’s Request for an Extension of Time to Respond to Defendants’ Request for Extension of Time and the Court’s Granting Extension of Time to Defendants (Dkt. #67). The court has reviewed the Motions.

A review of the docket in this case reflects that the court entered a Scheduling Order (Dkt. #66) on October 8, 2010. With regard to Plaintiff’s Request for an Extension of Time (Dkt. #67), Plaintiff notes that the court entered an Order (Dkt. #62) allowing Defendants an extension of time to respond to Plaintiff’s Motion to Compel (Dkt. #45). Plaintiff asserts he never received Defendants’ request for an extension of time, and he wanted to oppose it. The docket reflects that the court entered an Order (Dkt. #64) granting in part and denying in part Plaintiff’s Motion to Compel on September 30, 2010.

Accordingly,

**IT IS ORDERED:**

- 1. Plaintiff’s Motion for Scheduling Order (Dkt. #65) is DENIED AS MOOT.
- 2. Plaintiff’s Motion for Extension (Dkt. #67) is DENIED AS MOOT.

Dated this 28th day of March, 2011.

  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE