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

ALVIN BERNARD JONES,

Plaintiff,

Case No. 2:07-cv-02758 RCT

vs.

S. FRAZESN, et al.,

Defendants.

**SECOND SUPPLEMENTAL
DISCOVERY ORDER AND
SCHEDULING ORDER**

On August 26, 2009, Defendants Frazesn, Solarzano, Dudder, and Ayers filed an ex parte Application for Extension of Time for Defendants to File a Discovery Motion (“application”). Defendants requested a one week extension from the date of this order to file a discovery motion.

The application is granted. Pursuant to Rules 1, 16, and 26-36 of the Federal Rules of Civil Procedure, discovery shall proceed in accordance with this order. A revised schedule for this litigation is set forth below.

IT IS HEREBY ORDERED that:

1. Defendants’ application is granted. Defendants may file a discovery motion within one week of this order.
2. All pretrial motions, except motions to compel discovery, shall now be filed on or before September 18, 2009.
3. Plaintiff shall file and serve his pretrial statement and any

1 motions necessary to obtain the attendance of witnesses at trial
2 on or before October 2, 2009. Defendants shall file their
3 pretrial statement on or before October 9, 2009. The parties are
4 advised that failure to file a pretrial statement may result in the
5 imposition of sanctions, including dismissal of this action.

6 4. Pretrial conference (as described in Local Rule 16-282) is now
7 set in this case for November 2, 2009. The pretrial conference
8 shall be conducted on the file only, without appearance by
9 either party.

10 5. This matter is now set for jury trial before the Honorable
11 Richard C. Tallman on November 9, 2009 at 9:00a.m. in
12 Courtroom 3, 15th Floor.

13 6. Plaintiff Jones is cautioned that failure to abide by obligations
14 under this Court's Supplemental Discovery Order and
15 Scheduling Order as well as this Second Supplemental
16 Discovery Order and Scheduling Order may result in an order
17 of sanctions, including, but not limited to, dismissal of this
18 action.

19
20 DATED: August 31, 2009

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22 JUDGE

/s/ Richard C. Tallman
UNITED STATES CIRCUIT

Sitting by Designation