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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LACEDRIC JOHNSON,,  
Plaintiff,  
v.  
D. K. SISTO, ET AL.,  
Defendants.

No. 2:08-cv-1609 KJM KJN P

ORDER AND REVISED SCHEDULING  
ORDER

Plaintiff is a state prisoner proceeding without counsel. On April 29, 2013, plaintiff filed a motion for judicial intervention concerning discovery. On May 17, 2013, the parties filed a stipulation requesting that discovery be reopened for a limited period as to particular discovery requests, and that the dispositive motion deadline be extended by 45 days.

“The district court is given broad discretion in supervising the pretrial phase of litigation.” Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992) (citation and internal quotation marks omitted). Rule 16(b) provides that “[a] schedule may be modified only for good cause and with the judge's consent.” Fed. R. Civ. P. 16(b)(4). “The schedule may be modified ‘if it cannot reasonably be met despite the diligence of the party seeking the extension.’” Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002) (quoting Johnson, 975 F.2d at 607).

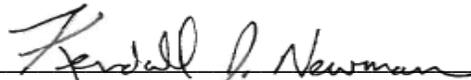
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1 Good cause appearing, the Court grants the parties' requests to reopen discovery, and  
2 extend the dispositive motion deadline. Defendants shall have thirty days to serve objections and  
3 responses to plaintiff's request for admissions from defendants Eck, Nuehring, Noriega, and  
4 Dechant, and interrogatories from Nuehring contained in Exhibit A of plaintiff's request for  
5 judicial intervention. All dispositive motions shall be filed no later than August 15, 2013.  
6 Plaintiff's request for judicial intervention is deemed withdrawn.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. Discovery is reopened for the limited purpose of allowing defendants Eck, Nuehring,  
9 Noriega, and Dechant to respond, within thirty days from the date of this order, to the discovery  
10 requests set forth above;
- 11 2. The dispositive motion deadline is extended to August 15, 2013; and
- 12 3. Plaintiff's request for judicial intervention (ECF No. 158) is deemed withdrawn.

13 **Date: 6/3/2013**

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16 KENDALL J. NEWMAN  
17 UNITED STATES MAGISTRATE JUDGE

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