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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY VINCENT PASSER,
Plaintiff,
v.
DR. STEEVERS, et al.,
Defendants.

No. 2:08-cv-2792 MCE KJN P

ORDER

Plaintiff is a state prisoner proceeding through counsel. On May 30, 2014, counsel for all parties submitted a stipulation extending the nonexpert discovery deadline and the expert disclosure date to June 30, 2014; the expert deposition deadline to July 30, 2014; and the deadline for hearing pretrial motions to September 15, 2014.

Also on May 30, 2014, counsel for plaintiff filed a motion to further extend the above deadlines, and noticed it for hearing on June 26, 2014. Defendants have not opposed the motion.

“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

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1 v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002) (quoting Johnson, 975
2 F.2d at 607).


3 The court grants plaintiff's request for additional extensions due to the complex medical
4 issues, records and treatment, as well as plaintiff's counsel's diligence, and the number of
5 depositions required in this matter. (ECF No. 105 at 4-5.) However, counsel for plaintiff is
6 cautioned that the court is not inclined to grant further extensions of the scheduling order.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. Plaintiff's motion for extension of time (ECF No. 105) is granted;
- 9 2. The June 26, 2014 hearing before the undersigned is vacated;
- 10 3. The non-expert discovery deadline is continued to August 31, 2014;
- 11 4. The expert disclosure deadline is continued to August 31, 2014;
- 12 5. The expert deposition deadline is continued to September 15, 2014; and
- 13 6. All pretrial motions, except motions to compel discovery, shall be filed on or before
14 September 25, 2014. Motions shall be briefed pursuant to Local Rule 230(l).

15 Dated: June 20, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE