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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

BRADLEY VAN DYKE,

Plaintiff,

v.

D.K. SISTO, et al.,

Defendants.

NO. CV-08-3120-JLQ

ORDER GRANTING MOTION ORDER AMENDING THE SCHEDULING ORDER

BEFORE THE COURT is Plaintiff's Motion for Extension of Time for Follow Up Discovery Request (Ct. Rec. 42). The discovery cut-off was August 24, 2010. Plaintiff requests an additional 45 days, due to the delays in Defendants' responses to discovery requests and the ongoing discovery disputes. Plaintiff's request is reasonable. However, an additional 45 days would extend the deadline for discovery beyond the dispositive motion deadline, currently September 24, 2010. Accordingly, the court extends the deadline for discovery and dispositive motions to OCTOBER 15, 2010.

Only when the parties have a discovery dispute that they cannot resolve among themselves should the parties even consider asking the court to intervene. The court does not have enough time or resources to oversee all discovery, and therefore requires that the parties present to it only their very specific disagreements. Parties are required to confer prior to presenting their conflict to the court. Where, as here, one of the parties is a prisoner, the court does not require in-person meetings and instead allows the prisoner and defense counsel to meet and confer by telephone or exchange of letters.

ACCORDINGLY, IT IS HEREBY ORDERED:

ORDER - 1

Plaintiff's Motion for Extension of Time for Follow Up Discovery Request (Ct. Rec. 42) is **GRANTED**. The discovery cut off and dispositive motion deadline are extended to October 15, 2010. The parties are advised to give **prompt** attention to any and all discovery disputes, as no further continuances of the scheduling order deadlines will be allowed.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order and provide a copy to Plaintiff and counsel.

DATED this 28TH day of August 2010.

s/ Justin L. Quackenbush JUSTIN L. QUACKENBUSH SENIOR UNITED STATES DISTRICT JUDGE