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

JOHN WESLEY WILLIAMS,

Plaintiff,

No. CIV S-09-1245 FCD GGH P

vs.

NOLA GRANNIS, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. On May 9, 2011, plaintiff filed a request to extend the time for filing a motion to compel discovery. (Doc. #44.) Pursuant to the discovery and scheduling order, the deadline for conducting discovery, including filing motions to compel, is June 10, 2011. Plaintiff argues that, because defendants have been granted an extension of time to file their discovery responses, he in turn requires an additional 30 days to file any motions to compel discovery. Good cause having been shown, the court will substantially grant plaintiff's request and extend the discovery deadline for 28 days.¹

¹ Even so, the parties are foreclosed from filing additional discovery requests. (See Doc. #39 at 6 (discovery requests shall be served not later than sixty days prior to discovery cut-off date)).

1 Plaintiff has also moved to vacate this court's April 25, 2011 order granting
2 plaintiff's motion to conduct plaintiff's deposition via videoconference. (Doc. #46.) Plaintiff
3 argues that defendants did not give him fourteen days' notice of the deposition as required by
4 Fed. R. Civ. Pro. 30(a). Plaintiff's attached exhibits indicate that plaintiff was served with notice
5 on April 27, 2011 that he would be deposed via videoconference on May 11, 2011. This
6 constitutes adequate notice under Rule 30(a) even if, as plaintiff claims, he did not actually
7 receive the notice until two days later. At any rate, because plaintiff presumably was deposed via
8 videoconference on May 11, 2011, plaintiff's request to vacate the order permitting this has been
9 rendered moot. Thus, plaintiff's motion will be denied.

10 Finally, plaintiff has moved to compel defendants' response to his Requests for
11 Production (set two). (Doc. #47.) Defendants have indicated that they intend to respond to these
12 requests and that any suggestion to the contrary was inadvertent. (Doc. #48.) Thus, this motion
13 will be denied as well without prejudice to a motion regarding the requests.

14 Accordingly, IT IS HEREBY ORDERED THAT:

15 1. Plaintiff's May 9, 2011 motion to extend the time to file a motion to compel
16 (Doc. #44) is GRANTED. The parties may conduct discovery, including filing any motions
17 necessary to compel discovery, until July 8, 2011;

18 2. Plaintiff's May 9, 2011 motion to vacate order (Doc. #46) is DENIED; and

19 3. Plaintiff's May 16, 2011 motion to compel discovery (Doc. #47) is DENIED.

20 DATED: May 25, 2011

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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