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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANDREW RICK LOPEZ,
Plaintiff,
v.
ARNOLD SCHWARZENEGGER, et al,
Defendants.

No. 2:09-cv-1760 MCE AC P

ORDER

Plaintiff is a state prisoner proceeding with counsel under 42 U.S.C. § 1983. The dispositive motion deadline in this action was re-set for January 22, 2014 by order filed on October 29, 2013. ECF No. 194. Plaintiff has moved to consolidate the instant action with Lopez v. Cook, et al., No. 2:03-cv-1605 KJM DAD P,¹ and requests a stay of the instant case pending resolution of his motion to consolidate before Magistrate Judge Drozd. That motion is set for hearing on Friday, January 31, 2014. ECF No. 197. Plaintiff’s counsel states that defendants’ counsel is in agreement that the dispositive motion deadline in this matter should be stayed pending the outcome of the consolidation motion.

The court will construe the motion as a request to vacate the pending dispositive motion deadline in the instant case, Lopez v. Schwarzenegger, et al., No. 2:09-cv-1760 MCE AC P until

¹ See ECF No. 351 in No. 2:03-cv-1605 KJM DAD P and ECF No. 196 in the instant case.

1 such time as the question of consolidation has been resolved.

2 Accordingly, IT IS ORDERED that plaintiff's motion for a stay of proceedings in the
3 instant matter, ECF No. 197, construed as a motion to vacate the January 22, 2014 dispositive
4 motion deadline pending resolution of the motion for consolidation before Judge Drozd, is
5 granted. The dispositive motion deadline in the instant case will be re-set if, and as soon as,
6 appropriate.

7 DATED: January 8, 2014

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE
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