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

JAMES ANTHONY GUERRERO,

Plaintiff,

No. CIV S-10-0318 GEB DAD P

vs.

S. McCLURE, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Defendants have filed several motions to compel discovery and plaintiff has filed his opposition to those motions. Also before the court is defendants' motion to vacate the filing deadline for dispositive motions. The court's June 29, 2010 Discovery and Scheduling Order set January 14, 2011 as the deadline for the filing of dispositive motions. Defendants request that the deadline be vacated and that the court issue a revised Discovery and Scheduling Order, if necessary, upon resolution of the pending motions to compel discovery. Defendants argue that they are unable to evaluate whether a dispositive motion is warranted in this case without plaintiff's discovery responses.

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1 Good cause appearing, IT IS HEREBY ORDERED that:

2 1. Defendants' January 6, 2011 motion to vacate the deadline for dispositive
3 motions (Doc. No. 37) is granted;

4 2. The January 14, 2011 deadline for filing dispositive motions, as set forth in the
5 court's June 29, 2010 Discovery and Scheduling Order, is vacated and will be reset, if necessary,
6 following the court's resolution of the pending discovery motions.

7 DATED: January 7, 2011.

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9 _____
10 DALE A. DROZD
11 UNITED STATES MAGISTRATE JUDGE

10 DAD:4
11 guer0318.vac.disp

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