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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

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Defense counsel has requested a sixty-day extension of time to file a dispositive motion on behalf of defendant Montes . In an order filed January 23, 2012, the court granted the request of defendants Ferguson, Fecht, Fox and Montes for a forty-day extension of time to prepare and file a dispositive motion. In the pending request for an extension of time, defense counsel informs the court that she has discovered that a conflict of interest exists between defendant Montes and defendants Fox, Fecht and Ferguson who are also represented by her office.<sup>1</sup> Counsel anticipates that the requested extension of time will provide sufficient time to retain new counsel for defendant Montes, and for new counsel to review the file and to act on

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<sup>1</sup> This action is proceeding against five defendants. The fifth defendant, defendant McClure, is represented by the law firm of Williams & Associates. On January 20, 2012, defendant McClure filed a motion for summary judgment.

1 behalf of defendant Montes.

2 Good cause appearing, IT IS HEREBY ORDERED that:

3 1. The February 23, 2012 motion filed on behalf of defendants Ferguson, Fecht,  
4 Fox and Montes seeking to modify the scheduling order and to extend the time to file a  
5 dispositive motion (Doc. No. 57) is granted; and

6 2. Defendant Montes is granted sixty days, to and including May 1, 2012, to file  
7 his dispositive motion.

8 DATED: February 24, 2012.

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12 DALE A. DROZD  
13 UNITED STATES MAGISTRATE JUDGE

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