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

BILLY PAUL BIRDWELL, II,

Plaintiff,

No. CIV S-10-0719 KJM GGH P

vs.

M. CATES, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. Approximately 13 defendants answered the complaint and a discovery and scheduling order was issued on April 28, 2011. Two other defendants, Baptista and Barham answered the complaint on May 23, 2011. It is not clear if plaintiff and defendants Baptista and Barham commenced discovery.

Therefore, the April 28, 2011, discovery order (Doc. 49) shall apply to plaintiff and Baptista and Barham, except that:

The parties may conduct discovery until October 24, 2011. Any motions necessary to compel discovery shall be filed by that date. All requests for discovery pursuant to Fed. R. Civ. P. 31, 33, 34 or 36 shall be served not later than sixty days prior to that date.

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1 All pretrial motions, except motions to compel discovery, shall be filed on or
2 before December 16, 2011. Motions shall be briefed in accordance with paragraph 7 of this
3 court's order filed February 9, 2011.

4 IT IS SO ORDERED

5 DATED: September 21, 2011

6 /s/ Gregory G. Hollows
7 UNITED STATES MAGISTRATE JUDGE

8 GGH: AB
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