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

DANIEL CRUZ,

Plaintiff,

No. CIV S-10-1162 KJM EFB P

vs.

MICHAELS, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. Defendants request modification of the scheduling order to extend the time for discovery and the filing of dispositive motions. *See* Fed. R. Civ. P. 16(b).

Under the current schedule, discovery was due by July 29, 2011 and dispositive motions were due on October 21, 2011. Dckt. No. 31. Defendants filed a motion to dismiss on March 29, 2011 and wish to be relieved of the burden of conducting discovery and filing dispositive motions that will turn out to be unnecessary should the motion to dismiss be granted.


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The court grants defendants' request and will stay the discovery and dispositive motion deadlines pending resolution of the March 29, 2011 motion to dismiss. Once that motion is resolved, the court will issue a modified scheduling order providing new deadlines for completing discovery and filing dispositive motions.

So ordered.

Dated: November 3, 2011.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE