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

CHARLES CORNELIUS JAMES,

Plaintiff,

No. 2:10-cv-1171 LKK DAD P

vs.

DEEPAK MEHTA, et al.,

Defendants.

ORDER

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Counsel on behalf of both parties have submitted to the court a joint motion to modify the scheduling order in this action. In the motion, counsel explain that they were under the impression that they could not proceed with discovery until the court entered a discovery order, which it did only recently. In addition, plaintiff may be able to locate defendant Uppal, and there is a possibility that the court will grant defendant Capitano’s pending motion to set aside entry of default.

Under these circumstances, and good cause appearing, the court will vacate the current scheduling order and re-set a schedule for this litigation according to the parties’ proposed scheduling dates. See Fed. R. Civ. P. 16(b).

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