

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 SCOTT ROBERT ATKINSON,

11 Plaintiff,

No. 2:11-cv-0210 MCE JFM (PC)

12 vs.

13 MATTHEW CATE, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to
17 42 U.S.C. § 1983. On December 13, 2012, defendants filed a motion to exceed page limits for a
18 summary judgment motion. On December 21, 2012, defendants filed a motion for summary
19 judgment. Good cause appearing, defendants' motion to exceed page limits will be granted and
20 defendants' December 21, 2012 motion considered in its entirety.

21 On January 4, 2013, plaintiff filed a motion to compel discovery and motion
22 pursuant to Fed. R. Civ. P. 56(d) to stay consideration of defendants' motion for summary
23 judgment. On January 25, 2013, the parties filed a stipulation to drop plaintiff's motion to
24 compel from calendar and to extend plaintiff's time to oppose defendants' motion for summary
25 judgment to March 11, 2013. Good cause appearing, the stipulation will be made an order of the
26 court. In view of the resolution of plaintiff's motion to compel and the stipulated time for filing

1 an opposition to the motion for summary judgment, plaintiff's Rule 56(d) motion will be denied
2 as moot.

3 In accordance with the above, IT IS HEREBY ORDERED that:

4 1. Defendants' December 13, 2012 motion to exceed page limits (Doc. No. 53) is
5 granted;

6 2. Defendants' December 21, 2012 motion for summary judgment (Doc. No. 54)
7 will be considered in its entirety;

8 3. Plaintiff's January 4, 2013 motion to compel discovery (Doc. No. 56) is
9 dropped from calendar;

10 4. Plaintiff's opposition to defendants' December 21, 2012 motion for summary
11 judgment shall be filed and served on or before March 11, 2013;

12 5. Defendants' reply, if any, shall be filed and served not later than fourteen days
13 thereafter; and

14 6. Plaintiff's January 4, 2013 motion to stay (Doc. No. 57) is denied as moot.

15 DATED: January 30, 2013.

16
17 
18 UNITED STATES MAGISTRATE JUDGE

19 ¹²
20 atki0210.36(2)