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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

THOMAS T. AOKI, and AOKI  
DIABETES RESEARCH INSTITUTE, a  
California non-profit corporation,

Plaintiffs,

v.

GREGORY FORD GILBERT, et al.,

Defendants.

No. 2:11-cv-02797-TLN-CKD

**ORDER**

On February 1, 2016, this Court issued a Pretrial Scheduling Order setting the dates for all discovery, dispositive motions, and trial. (ECF No. 223.) The Court ordered all dispositive motions to be heard on or before September 21, 2017. (ECF No. 223 at 4.) On two separate occasions the parties asked for and were granted an extension of the discovery deadline. (ECF Nos. 229 & 243.) However, the parties never sought an extension of the dispositive motion deadline. On November 29, 2017, well past the deadline, two separate sets of Defendants moved for summary judgment through their attorney of record Gregory Gilbert. (ECF Nos. 272 & 273.) Defendants' Motions for Summary Judgment (ECF Nos. 272 & 273) are, therefore, untimely. Accordingly, Defendants' Motions for Summary Judgment are hereby STRICKEN and will not be considered.

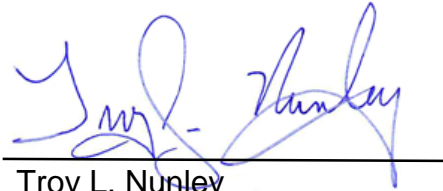
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The Court recommends the parties review the Pretrial Scheduling Order (ECF No. 223) to adequately and timely prepare for the upcoming Pretrial Conference and Trial.

IT IS SO ORDERED.

Dated: December 1, 2017



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Troy L. Nunley  
United States District Judge