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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAMUEL ANDERSON,
Plaintiff,
v.
J. CLARK KELSO, et al.,
Defendants.

No. 2: 12-cv-0261 MCE KJN P

ORDER

Plaintiff is a state prisoner, proceeding through counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. This action is set for jury trial before the Honorable Morrison C. England on December 14, 2014.

On June 17, 2015, the court issued a pretrial order. (ECF No. 194.) On June 19, 2015, defendants filed objections to the pretrial order. (ECF No. 195.) The undersigned addresses defendants' objections herein.

Defendants object to the section of the pretrial order stating that discovery is closed. In their objections, defendants submit that discovery should be closed, except for expert witness discovery permitted under Federal Rule of Civil Procedure 26(b)(6)A. Defendants state that the identity of expert witnesses were not known to the parties until after discovery had closed, and dispositive motions had been filed. Defendants state that the declaration of plaintiff's expert, Dr. Frank, was a significant factor in the denial of defendants' summary judgment motion.

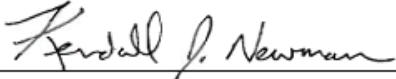
1 Defendants state that permitting pre-trial depositions of opposing experts would result in more
2 efficient cross-examination at the time of trial, save time and expense for the court, jury and
3 parties.

4 Defendants request that the pretrial order be amended to state that, "Discovery is closed,
5 except for depositions of expert witnesses listed by the parties in their pretrial statements, which
6 shall be completed by September 18, 2015." Plaintiff has not objected to this request.

7 Good cause appearing, IT IS HERBY ORDERED that:

- 8 1. Defendants' request to amend the pretrial order is granted;
- 9 2. The pretrial order is amended as follows: Discovery is closed, except for depositions
10 of expert witnesses listed by the parties in their pretrial statements, which shall be completed by
11 September 18, 2015.

12 Dated: July 2, 2015

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14 _____
15 KENDALL J. NEWMAN
16 UNITED STATES MAGISTRATE JUDGE

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