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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN PHILIP MONCRIEF,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,

Defendants.

No. 2:12-cv-0414 MCE AC P

ORDER

Plaintiff is a state prisoner proceeding through counsel with a civil rights action pursuant to 42 U.S.C. § 1983.

On March 19, 2014, the court heard arguments on defendants’ motion to dismiss the second amended complaint and conducted a case management conference. ECF No. 40. During the case management conference, the court expressed concern over the previous management of the case as if it had been brought by an inmate in pro per, and the resulting lack of disclosures and discovery that had taken place up to that date. ECF No. 42 at 3-4. The parties were instructed to “meet and confer, develop a discovery plan, propose a schedule for the litigation, and begin discovery expeditiously and with a focus on the actions and identities of the putative Doe defendants.” Id. at 4.

Upon adoption of the findings and recommendations, a scheduling order was issued. ECF

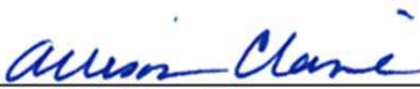
1 No. 46. The deadline for filing a motion to amend the complaint and proposed amended
2 complaint was set for June 20, 2014, with non-expert fact discovery concluding on January 14,
3 2015. Id. Expert discovery was to conclude by March 25, 2015, and dispositive motions filed by
4 April 29, 2015. Id. Plaintiff requested and received several extensions of time to file a third
5 amended complaint which substituted named defendants for Doe defendants and the amended
6 complaint was ultimately filed on January 15, 2015. ECF No. 55. On February 19, 2015,
7 defendants filed an answer and a motion to partially dismiss the amended complaint for failure to
8 state a claim. ECF No. 62. On September 1, 2015, the District Judge filed an order adopting the
9 findings and recommendations granting the motion to dismiss in part. ECF No. 72. Now that
10 discovery has closed and the scope of the third amended complaint has been narrowed, the court
11 will re-set the dispositive motion deadline.

12 Accordingly, IT IS HEREBY ORDERED that:

13 1. The parties may file dispositive motions no later than January 6, 2016, and noticed to
14 be heard no later than February 3, 2016.

15 2. Trial in this matter remains scheduled for August 1, 2016, at 9:00 a.m. in courtroom 7
16 before the Honorable Morrison C. England, Jr., with pretrial deadlines as set forth in the February
17 4, 2015 minute order (ECF No. 56).

18 DATED: October 6, 2015

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20 ALLISON CLAIRE
21 UNITED STATES MAGISTRATE JUDGE
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