

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GREGORY C. BONTEMPS,

Plaintiff,

v.

SALINAS, et al.,

Defendants.

No. 2:12-cv-2185 TLN AC P

ORDER

Plaintiff is a California inmate proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On November 5, 2014 defendants filed a motion for summary judgment on exhaustion grounds, ECF No. 51, and a motion for a protective order staying discovery, ECF No. 52. On January 14, 2015, the court issued an order to show cause why plaintiff’s case should not be dismissed for lack of prosecution. ECF No. 56. On January 26, 2006 plaintiff filed an opposition to defendants’ motion for summary judgment. ECF No. 57. Accordingly, the order to show cause is discharged.

On February 23, 2015, plaintiff filed a motion for a thirty-day extension of time to file an amended opposition to defendants’ summary judgment motion. The court notes that plaintiff identified an error in the court’s January 14, 2015 order, ECF No. 56, in which the date of the order is listed as “January 13, 2014” instead of “January 13, 2015.” Good cause appearing, plaintiff’s request for an extension of time to file an amended opposition is granted. Pursuant to


1 Local Rule 230(1), defendants shall have seven (7) days after plaintiff's opposition has been filed  
2 in CM/ECF to serve and file a reply to the amended opposition.

3 In addition to their motion for a protective order staying discovery, ECF No. 52,  
4 defendants have filed a motion to modify or vacate the Discovery and Scheduling Order, ECF No.  
5 46, to extend the deadline for discovery and the filing of pre-trial motions. ECF No. 59. Good  
6 cause appearing, defendants' motions are granted. Discovery is stayed pending resolution of  
7 defendants' summary judgment motion, ECF No. 51, and the deadlines for discovery and the  
8 filing of pre-trial motions set forth in the Discovery and Scheduling Order, ECF No. 46, are  
9 vacated. An amended scheduling order will issue if necessary after defendants' summary  
10 judgment motion on exhaustion grounds is resolved.

11 Accordingly, IT IS HEREBY ORDERED that:

- 12 1. Defendants' motion for a protective order staying discovery, ECF No. 52, is  
13 GRANTED;
- 14 2. Defendants' motion to vacate the dates in the Discovery and Scheduling Order, ECF  
15 No. 59, is GRANTED;
- 16 3. Plaintiff's request for an extension of time to file an amended opposition, ECF No. 58,  
17 is GRANTED;
- 18 4. Plaintiff shall have thirty days from the date of this order in which to file an amended  
19 opposition; and
- 20 5. Defendants shall have seven days from the date plaintiff's amended opposition is filed  
21 to file a reply to plaintiff's amended opposition.

22 DATED: March 18, 2015

23   
24 ALLISON CLAIRE  
25 UNITED STATES MAGISTRATE JUDGE  
26  
27  
28