"The district court is given broad discretion in supervising the pretrial phase of litigation." Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992) (citation and internal quotation marks omitted). Rule 16(b) provides that "[a] schedule may be modified only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). "The schedule may be modified 'if it cannot reasonably be met despite the diligence of the party seeking the extension." Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002) (quoting Johnson, 975 F.2d at 607).

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Defendants have demonstrated good cause and diligence to extend the discovery and dispositive motions deadlines. Defendants' motion is granted. If defendants' motion for summary judgment on the issue of exhaustion is denied, the court will issue a revised scheduling order to provide new deadlines for discovery and dispositive motions on the merits.

Accordingly, IT IS HEREBY ORDERED that:

- 1. Defendants' motion (ECF No. 47) is granted;
- 2. The discovery and dispositive motions deadlines set in the September 8, 2017 scheduling order (ECF No. 43) are vacated; and
- 3. The court will issue a revised scheduling order, if appropriate, following resolution of the pending motion for summary judgment.

Dated: January 18, 2018

KENDALL J. NEWMAN

UNITED STATES MAGISTRATE JUDGE

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