

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

UMAR SHAHID,  
Plaintiff,  
v.  
I. ALDAZ, et al.,  
Defendants.

No. 2:14-cv-0454 DAD P

ORDER

Pending before the court is defendants’ motion to modify the court’s discovery and scheduling order. On May 26, 2015, defendants filed a motion for summary judgment based on plaintiff’s alleged failure to exhaust administrative remedies prior to filing suit as required. Defense counsel believes the motion may dispose of all of plaintiff’s claims, but in the event that the motion does not, defendants request the opportunity to file a dispositive motion addressing the merits of this case.

Good cause appearing, the court will grant defendants’ motion to modify the court’s discovery and scheduling order in part. Rather than vacating the deadline for the filing of dispositive motions, the court will direct defendants with this order to file any dispositive motion on the merits of this case within ninety days of the court ruling on defendants’ pending motion to dismiss.

////

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

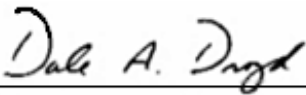
Accordingly, IT IS HEREBY ORDERED that:

1. Defendants' motion to modify the discovery and scheduling order (Doc. No. 29) is granted in part;

2. Defendants shall file any dispositive motion on the merits of this case within ninety days of the court ruling on defendants' exhaustion motion; and

3. Except as otherwise provided in this order, the court's discovery and scheduling order issued on December 15, 2014, remains in effect.

Dated: June 16, 2015



---

DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

/shah0454.41mod