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7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA
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10 DOYLE DEAN HARTLINE,
11 Plaintiff,
12 v.
13 NATIONAL UNIVERSITY,
14 Defendant.

No. 2:14-cv-00635 KJM AC P

ORDER

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16 On August 4, 2014, defendant filed a motion to dismiss and a hearing on the matter was
17 ultimately scheduled before the undersigned on September 24, 2014. ECF Nos. 7, 9. On August
18 19, 2014, plaintiff moved the court for a 120-day extension of time based on his medical
19 conditions. ECF No. 11. The court granted plaintiff a 60-day extension of time to respond to
20 defendant's motion to dismiss. ECF No. 13. The court cautioned plaintiff that he must timely
21 file a response to defendant's motion and failure to do so may result in an order to show cause.
22 Id. The hearing on defendant's motion to dismiss was continued to December 3, 2014 and
23 plaintiff was ordered to file an opposition no later than November 19, 2014. Id.

24 On November 17, 2014, plaintiff filed a second motion for an extension of time to respond
25 to defendant's motion to dismiss. ECF No. 14. Plaintiff has requested a 60-day extension of time
26 to prepare and file his opposition, and avers that he has begun "to correctly draft his complaint"
27 and "is in the process of providing [an] Attorney with the necessary documentation pertaining to
28 [his] complaint." Id. at 1. Plaintiff states that "because of Plaintiffs restrictions on sitting and

1 recent medical issues including physical therapy and office visits to neurologists, orthopedists and
2 physical therapists' Plaintiff has been slowed down in his endeavors." Id. Good cause appearing,
3 plaintiff's motion will be granted in part and plaintiff will be given an additional 35 days to file
4 an opposition.

5 However, while the court is cognizant of plaintiff's circumstances, the court will not
6 continue to indefinitely grant plaintiff's requests for extension of time. Plaintiff has received a
7 60-day extension of time, and the court is now granting plaintiff an additional 35 days to file his
8 opposition. Accordingly, no further extensions of time will be granted.

9 Finally, as noted in this court's prior order, plaintiff should be prepared to discuss his
10 particular medical needs with regard to scheduling further deadlines during the rescheduled
11 hearing on defendant's motion to dismiss.

12 Good cause appearing, IT IS HEREBY ORDERED that:

13 1. Plaintiff's motion for extension of time, ECF No. 14, is granted in part and plaintiff is
14 granted 35 days to respond to defendant's motion to dismiss;


15 2. The December 3, 2014 hearing on defendant's motion to dismiss is vacated and
16 rescheduled to January 7, 2015;

17 3. Plaintiff's opposition to defendant's motion to dismiss is due by December 24, 2014,
18 see Local Rule 230(c);

19 4. Defendant's reply, if any, is due by December 31, 2014; and

20 5. The January 7, 2015 initial scheduling conference is vacated and rescheduled to March
21 4, 2015.

22 DATED: November 19, 2014

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24 ALLISON CLAIRE
25 UNITED STATES MAGISTRATE JUDGE
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