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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRYAN MAZZA,

Plaintiff,

v.

L. AUSTIN, et al.,

Defendants.

No. 2:14-cv-0874 TLN AC P

ORDER

Plaintiff has filed several documents following the filing of defendants’ respective motions for summary judgment. See ECF Nos. 143, 144. Four of plaintiff’s filings, all filed the same day, are directly responsive defendants’ motions for summary judgment and will be construed as a consolidated opposition thereto. See ECF Nos. 148, 149, 153, 154. Three of plaintiff’s filings, filed the same day as plaintiff’s opposition, address matters that will become pertinent only if this case proceeds to trial. See ECF Nos. 147, 150-52. These requests will therefore be denied without prejudice to renewal at an appropriate time.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff’s filings in opposition to defendants’ motions for summary judgment, ECF Nos. 148, 149, 153 and 154, are construed as a consolidated opposition thereto, without penalty for multiple filings.


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2. Plaintiff's fourth request for appointment of counsel, ECF No. 150;¹ request for appointment of a neutral medical examiner, ECF Nos. 147 (see also ECF No. 152); and motion to subpoena witnesses at trial, ECF No. 151, are each denied without prejudice as premature; plaintiff may renew these motions should he prevail on summary judgment.

SO ORDERED.

DATED: July 12, 2019



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

¹ See ECF No. 136 (setting forth the applicable standards and court's reasons for denying plaintiff's fourth request for appointment of counsel).