

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

KENNETH B. GIBBS,
Plaintiff,
v.
A. DENNEHY, et al.,
Defendants.

No. 2:15-cv-0188 AC P

ORDER

Defendants have filed a motion to stay discovery and modify the scheduling order. ECF No. 22. They state that they will imminently be filing a motion for summary judgment based on plaintiff's failure to exhaust administrative remedies. Id. at 1. Defendants note that the current scheduling order requires the parties to have served discovery requests by October 23, 2017. Id. at 2. They state that, as of the date the current motion was filed, neither plaintiff nor defendants have served any discovery requests. Id. Consequently, they ask that the deadline for serving discovery requests be extended until sixty days after the court rules on the as yet unfiled motion for summary judgment. Id.

Based on the foregoing, the court finds that good cause exists for modification of the scheduling order.

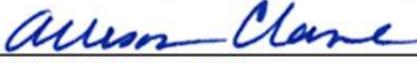
///
///

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

It is ORDERED that:

1. Defendants' motion to modify the scheduling order and stay discovery (ECF No. 22) is GRANTED;
2. Discovery is stayed pending the filing and adjudication of defendants' motion for summary judgment;
3. The deadline to serve discovery requests is extended to sixty days from the date the court rules on defendants' motion for summary judgment; and
4. In the event that defendants' motion for summary judgment is not dispositive of this case, the court will also issue new deadlines for the completion of all discovery and dispositive motions.

DATED: October 30, 2017



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE