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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL AARON WITKIN,  
Plaintiff,

v.

MARIANA LOTERSZTAIN, et al.,  
Defendants.

No. 2:15-cv-0638 MCE KJN P

ORDER

Defendants’ April 8, 2016 motion for summary judgment was re-noticed on April 6, 2017. On May 11, 2017, plaintiff’s request for an additional sixty days in which to file his opposition was denied, and plaintiff was ordered to file his opposition within twenty-one days. On May 19, 2017, plaintiff filed a motion for reconsideration of the order denying his request for an additional sixty days. On May 23, 2017, plaintiff filed a supplement to his motion for reconsideration. However, on June 1, 2017, plaintiff filed a 547 page opposition to the motion for summary judgment. In addition to exhibits, plaintiff included a 61 page opposition, 16 page statement of disputed facts, and multiple declarations in support of his opposition. (ECF No. 72.)

The court has reviewed the May 11, 2017 order, and plaintiff’s motion and supplement, and declines to grant plaintiff further time to file a revised or supplemental opposition. Dr. Barnett was deposed on March 28, 2017, and plaintiff was granted an extension of time to file an opposition to the motion for summary judgment to June 1, 2017. Such period of 65 days to

1 oppose a motion for summary judgment originally filed on April 8, 2016, was not unreasonable or  
2 inappropriate under the circumstances. Upon reconsideration, the undersigned affirms the order  
3 denying the request for an additional 60 day extension of time.

4 On June 5, 2017, defendants filed a request for a 31 day extension of time, to and  
5 including July 10, 2017, to respond to plaintiff's opposition to defendants' motion for summary  
6 judgment. Good cause appearing, defendants' request is granted. Defendants shall file their reply  
7 on or before July 10, 2017. In addition, with their reply, defendants shall respond to plaintiff's  
8 May 18, 2017 motion for an order requiring disclosure of post-deposition communications (ECF  
9 No. 68).


10 Accordingly, IT IS HEREBY ORDERED that:

11 1. Plaintiff's motion for reconsideration (ECF No. 70) is granted; upon reconsideration,  
12 the undersigned affirms the May 11, 2017 order denying plaintiff an additional 60 days in which  
13 to oppose the motion for summary judgment;

14 2. Defendants' motion for extension of time (ECF No. 73) is granted; and

15 3. Defendants shall file their reply to plaintiff's opposition to defendants' motion for  
16 summary judgment on or before July 10, 2017; with such reply, defendants shall respond to  
17 plaintiff's May 18, 2017 motion (ECF No. 68).

18 Dated: June 7, 2017

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KENDALL J. NEWMAN  
21 UNITED STATES MAGISTRATE JUDGE

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