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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

G.H., by and through his Guardian ad
Litem ALEJANDRO HERNANDEZ,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

No. 2:15-cv-1946 CKD

ORDER

On April 28, 2016, the court issued a scheduling order in this matter. ECF No. 23. The parties thereafter requested a status conference due to representations of plaintiff's counsel that the case in all likelihood would settle. ECF No. 24. The court accordingly held a status conference on June 8, 2016 and after discussion with counsel ordered dispositional documents be filed within thirty days. ECF No. 26. The day before dispositional documents were to be filed, plaintiff's counsel requested an extension of time of 60 days because plaintiff wished to seek additional legal advice before approving the proposed dismissal. ECF No. 27. On July 11, 2016, the court granted an additional thirty days to file dispositional documents. ECF No. 28. Now, once again on the eve of the dispositional document due date, plaintiff's counsel requests a sixty day extension because plaintiff wants to seek further legal and medical advice. ECF No. 29.

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1 Plaintiff's counsel indicated to defendants in late 2015 that the case might be dismissed.
2 ECF No. 24. In February 2016, defendants agreed to postpone discovery to provide plaintiff time
3 to reach a decision regarding dismissal. Id. Over eight months have passed since plaintiff's
4 counsel indicated the case might settle. Plaintiff's delay in seeking additional legal and medical
5 advice is untenable. Plaintiff's vacillation regarding dismissal has impeded defendants' ability to
6 properly defend this action and will not be countenanced by the court.

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. This matter is set for status conference on August 31, 2016 at 10:00 a.m. in courtroom
9 no. 24. Plaintiff's counsel is directed to serve a copy of this order on Guardian ad Litem
10 Alejandro Hernandez. The Guardian ad Litem is ordered to personally appear at the status
11 conference.

12 2. The parties shall be prepared at the status conference to discuss modification of the
13 dates set forth in the April 28, 2016 scheduling order.

14 Dated: August 10, 2016

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16 _____
17 CAROLYN K. DELANEY
18 UNITED STATES MAGISTRATE JUDGE

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