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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEV PATEL,

Plaintiff,

v.

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH
AND DEPARTMENT OF TOXIC
SUBSTANCES,

Defendants.

No. 2:15-cv-02471-KJN

ORDER

Presently pending before the court is plaintiff’s ex parte application to continue hearing on defendants’ motion for summary judgment. (ECF No. 51.) Defendants opposed the application. (ECF No. 53.) Plaintiff filed a supplemental declaration in support. (ECF No. 54.) On February 7, 2018, the court took this matter under submission. (ECF No. 52.) After carefully considering the written briefing and the applicable law, the court GRANTS plaintiff’s ex parte application.

Plaintiff has sufficiently demonstrated good cause for continuing the hearing because plaintiff’s counsel does not have adequate time to respond to the motion for summary judgment (see ECF Nos. 51, 54), and because granting this extension will not significantly affect the pretrial scheduling order. (See ECF No. 25.) Indeed, the only necessary change to the scheduling order is hearing defendants’ motion after the March 1, 2018 deadline for law and motion. The

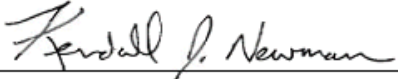
1 deadline for law and motion is not otherwise adjusted, and the final pretrial conference and the
2 trial dates remain unchanged.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. Plaintiff's ex parte application to continue hearing on defendants' motion for
5 summary judgment (ECF No. 51) is GRANTED.
- 6 2. The hearing on defendants' motion for summary judgment (ECF No. 48) is
7 continued to Thursday, May 3, 2018, at 10:00 am.
- 8 3. Plaintiff's opposition shall be filed on or before April 19, 2018.
- 9 4. Defendants' reply, if any, shall be filed on or before April 26, 2018.
- 10 5. The pretrial scheduling order (ECF No. 25) is not otherwise adjusted.

11 IT IS SO ORDERED.

12 Dated: February 14, 2018

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14 _____
KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

15 14/15-2471.patel v. ca.ORDER continuance