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9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF CALIFORNIA  
11 SACRAMENTO DIVISION

13 **NEXIS RENE GOMEZ,**

14 Plaintiff,

15 v.

17 **D. BRAUN, et al.,**

18 Defendants.

2:15-cv-2523-KJN (PC)

**ORDER MODIFYING DISCOVERY AND  
SCHEDULING ORDER**

Judge: Hon. Kendall J. Newman  
Trial Date: Not Set  
Action Filed: February 25, 2016

19  
20 Defendants Dr. Braun and Dr. Majumdar moved this Court for an order a limited  
21 modification of the Court's Discovery and Scheduling Order of January 4, 2017 (ECF No. 34),  
22 including the dates/deadlines for conducting the depositions of Plaintiff and up to three non-  
23 expert witnessed whose identities plaintiff may establish in his deposition, and for filing  
24 discovery motions relative to those depositions. Plaintiff has not filed an opposition.

25 "The district court is given broad discretion in supervising the pretrial phase of litigation."  
26 Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992) (citation and internal  
27 quotation marks omitted). Rule 16(b) provides that "[a] schedule may be modified only for good  
28 cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). "The schedule may be modified

1 'if it cannot reasonably be met despite the diligence of the party seeking the extension.'"  
2 Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002) (quoting  
3 Johnson, 975 F.2d at 607).

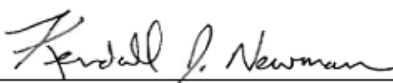
4 Defendants have shown good cause to continue the deadline for discovery based on the  
5 unexpected medical leave of former defense counsel. Defendants' request to extend the  
6 discovery deadline to June 14, 2017, is granted. In light of this extension, the dispositive motions  
7 deadline is continued to September 14, 2017. In all other respects, the January 4, 2017 discovery  
8 and scheduling order remains in effect.

9 **GOOD CAUSE HAVING BEEN SHOWN**, Defendants' motion is granted as follows:

- 10 1. Plaintiff's deposition is to be completed by June 14, 2017;
- 11 2. The depositions of up to three non-expert witnesses who plaintiff may identify in his  
12 deposition as having knowledge to support his claims are to be completed by June 14, 2017;
- 13 3. Any discovery motion relative to the depositions listed above is to be filed by June 14,  
14 2017; and
- 15 4. All pretrial motions, except motions to compel discovery, shall be filed on or before  
16 September 14, 2017.

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18 Dated: May 11, 2017

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE