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

JOSEPH BIVINS,

Plaintiff,

v.

DR. JEU, et al.,

Defendant.

Case No. 2:16-cv-00389 MCE KJN P

**ORDER GRANTING DEFENDANT’S
SECOND REQUEST TO MODIFY
SCHEDULING ORDER**

Judge: The Honorable Kendall J. Newman
Trial Date: Not Set
Action Filed: February 23, 2016

Defendant Borges has requested a modification of the Discovery and Scheduling Order to extend the dispositive motion deadline until September 30, 2019.

“The district court is given broad discretion in supervising the pretrial phase of litigation.” Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992) (citation and internal quotation marks omitted). Rule 16(b) provides that “[a] schedule may be modified only for good cause and with the judge’s consent.” Fed. R. Civ. P. 16(b)(4). “The schedule may be modified ‘if it cannot reasonably be met despite the diligence of the party seeking the extension.’” Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002) (quoting Johnson, 975 F.2d at 607).

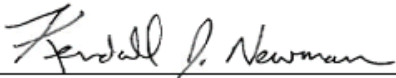
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Good cause appearing therein, IT IS HEREBY ORDERED that:

1. Defendant's request for a modification of the Discovery and Scheduling Order (ECF No. 67) is GRANTED; and
2. The dispositive motion deadline of August 30, 2019 is continued to September 30, 2019.

Dated: August 26, 2019


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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