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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 VERNON RUBIDOUX,

12 Plaintiff,

13 v.

14 J. MACOMBER, et al.,

15 Defendants.
16

No. 2:16-CV-1033-MCE-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
18 42 U.S.C. § 1983. Pending before the Court is plaintiff's motion for an extension of time to
19 conduct discovery. See ECF No. 50. Defendants have not filed an opposition.

20 A review of the docket reflects that a number of defendants filed an answer on
21 October 15, 2019, and thereafter on October 25, 2019, the court issued a first scheduling order
22 directing, among other things, the parties to complete discovery by March 9, 2020. See ECF Nos.
23 39 (defendants' answer) and 42 (scheduling order). On November 14, 2019, defendant Sahota
24 filed a separate answer. See ECF No. 44. Given this procedural history, and good cause
25 appearing therefor, plaintiff's motion is construed as a motion for modification of the Court's
26 scheduling order and, so construed, plaintiff's motion will be granted and the court will set a new
27 schedule for this case.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for an extension of time to conduct discovery (ECF No. 50) is construed as a motion to modify the Court's October 25, 2019, scheduling order and, so construed, plaintiff's motion is granted;

2. The Court's October 25, 2019, scheduling order is modified as specified below;

3. The parties may conduct discovery until September 7, 2020;

4. All requests for discovery pursuant to Fed. R. Civ. P. 30, 31, 33, 34, 36, and 45 shall be served by this discovery cut-off date;

5. Any motions necessary to compel discovery shall be filed within 60 days from this cut-off date; and

6. All dispositive motions shall be filed within 90 days after the discovery cut-off date specified above;

Dated: April 29, 2020



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE