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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID WESLEY BIRRELL, et al.,
Plaintiffs,
v.
ROBERT W. FOX,
Defendant.

No. 2:16-cv-1818 JAM CKD P

ORDER

Plaintiffs are current or former California prisoners proceeding through counsel with a claim for injunctive relief arising under the Eighth Amendment. Defendant is the Warden at the California Medical Facility in Vacaville. On April 3, 2018, counsel for plaintiffs filed a motion to withdraw. The motion was stricken, in part, because the motion was not served on all plaintiffs identified by counsel in the operative amended complaint. Counsel for plaintiffs filed a second motion to withdraw on June 22, 2018. While counsel filed a certificate of service which indicates the motion was served on 16 of the plaintiffs identified in the amended complaint, the certificate does not indicate the motion was served on the 17th plaintiff, Randy Gutschenritter.


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Accordingly, IT IS HEREBY ORDERED that:

1. Counsel for plaintiffs shall serve a copy of his June 22, 2018 motion to withdraw on plaintiff Randy Gutschenritter and file a certificate of service with this court by October 3, 2018. Counsel's failure to do may result in monetary sanctions.
2. The deadlines established in the court's November 1, 2017 scheduling order are stayed.

Dated: September 27, 2018



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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