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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEREK TATE,

Plaintiff,

v.

J. ANDRES,

Defendants.

No. 2:18-cv-0822 KJM AC P

ORDER


By order filed April 27, 2020, the court granted plaintiff’s motion to compel and ordered defendant to provide a supplemental response to plaintiff’s request for production. ECF No. 56 at 6. Plaintiff was also given the opportunity to file a motion for sanctions in the event defendant fails to comply with the order. Id. at 7. Because the order directed the production of additional documents that would potentially be material to opposing a motion for summary judgment, the dispositive motion deadline was vacated, to be re-set once the discovery matter was resolved. Id. at 6-7. Two days later, defendant filed his motion for summary judgment. ECF No. 57. Because defendant’s supplemental discovery response is still outstanding and the matter has not yet been resolved, defendant’s summary judgment motion will be vacated. Defendant will have an opportunity to file a motion for summary judgment motion after the discovery matter has been fully resolved and a new dispositive motion deadline has been set.

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Accordingly, IT IS HEREBY ORDERED that defendant's motion for summary judgment, ECF No. 57, is vacated.

DATED: April 30, 2020



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE