

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GLENN O’CONNOR,
Plaintiff,
v.
W. PEREZ, et al.,
Defendants.

No. 2:18-cv-1057 DB P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action under 42 U.S.C. § 1983. Plaintiff claims defendants violated his Eighth Amendment rights. Presently before the court is defendants’ second motion to modify the Discovery and Scheduling Order. (ECF No. 90.)

Defendants request that the court extend the discovery deadline and the dispositive motion deadline by ninety days because of the COVID-19 pandemic. Defendants request the extension due to the inability to take plaintiff’s deposition in person or by video. In light of the circumstances, so long as plaintiff remains incarcerated, defendants may also conduct his deposition by telephone. Good cause appearing the court will grant the motion extend the discovery deadline only as to the deposition. Accordingly, the court will extend the deadline for the sole purpose of allowing defendants to depose plaintiff. The extension of time shall apply

///

1 only to the taking of plaintiff's deposition and does not provide the parties with an extension of
2 time to conduct other forms of discovery.

3 For the reasons stated above, IT IS HEREBY ORDERED that:

- 4 1. Defendant's motion to modify the Discovery and Scheduling Order (ECF No. 90) is
5 granted in part;
- 6 2. The discovery deadline is extended to September 28, 2020 to allow defendants
7 additional time to conduct a deposition of plaintiff; and
- 8 3. Any dispositive motions shall be filed on or before December 21, 2020.

9 Dated: July 10, 2020

10
11 
12 DEBORAH BARNES
13 UNITED STATES MAGISTRATE JUDGE
14
15
16
17
18
19
20

21 DLB:12

22 DLB:1/Orders/Prisoner/Civil.Rights/ocon1057.eot(D)2
23
24
25
26
27
28