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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL WITKIN,  
Plaintiff,  
v.  
D. WISE, et al.,  
Defendants.

No. 2: 19-cv-0974 KJM KJN P

ORDER

On December 2, 2020, the court granted plaintiff’s motion to file a second amended complaint to add a due process and related state law claim against defendant Wise. (ECF No. 65.) The court also granted defendants’ motion for partial summary judgment as to plaintiff’s retaliation and related state law claims. (Id.)

On January 4, 2021, defendants filed an answer to plaintiff’s second amended complaint. (ECF No. 70.)

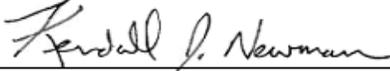
The undersigned herein re-sets the discovery and dispositive motion deadlines. Pursuant to orders and findings and recommendations filed July 22, 2020, September 16, 2020, and December 2, 2020, the undersigned orders that defendants may conduct discovery as to plaintiff’s Eighth Amendment claims and related state law claims and plaintiff’s due process claim and related state law claim against defendant Wise. (ECF Nos. 45, 56, 65.) The undersigned also orders that plaintiff may conduct discovery as to his due process and related

1 state law claim against defendant Wise, i.e., those claims the court granted plaintiff leave to  
2 amend in the December 2, 2020 order. (ECF Nos. 45, 56, 65.)

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The parties may conduct discovery as to the claims discussed above until March 26,  
5 2021. Any motions necessary to compel discovery shall be filed by that date. All  
6 requests for discovery pursuant to Federal Rules of Civil Procedure 31, 33, 34 or 36  
7 shall be served not later than sixty days prior to that date;
- 8 2. All pretrial motions, except motions to compel discovery, shall be filed on or before  
9 May 28, 2021. Unless otherwise ordered, all motions to dismiss, motions for summary  
10 judgment, motions concerning discovery, motions pursuant to Federal Rules of Civil  
11 Procedure 7, 11, 12, 15, 41, 55, 56 and 60, and Local Rule 110, shall be briefed  
12 pursuant to Local Rule 230(l). Failure to timely oppose such a motion may be deemed  
13 a waiver of opposition to the motion. L.R. 230(l). Unsigned affidavits or declarations  
14 will be stricken, and affidavits or declarations not signed under penalty of perjury have  
15 no evidentiary value. Opposition to all other motions need be filed only as directed by  
16 the court.

17 Dated: January 7, 2021

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20 KENDALL J. NEWMAN  
21 UNITED STATES MAGISTRATE JUDGE

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