

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

TADEUSZ WYRZYKOWSKI,
Plaintiff,
v.
COUNTY OF MARIN, et al.,
Defendants.

Case No. 3:14-cv-03825-LB

**ORDER (1) EXTENDING THE
DEADLINE FOR THE PLAINTIFF TO
FILE A THIRD AMENDED
COMPLAINT AND (2) CONTINUING
THE CASE MANAGEMENT
CONFERENCE**

On June 9, 2015, the court granted the defendants’ motion to dismiss Mr. Wyrzykowski’s Second Amended Complaint. (6/9/2015 Order, ECF No. 66.) The court dismissed without prejudice his first, second, third, fourth, and fifth claims and dismissed with prejudice his sixth, seventh, eighth, ninth, tenth, and eleventh claims. (*Id.* at 12-23.) The court also gave him leave to amend his first, second, third, fourth, and fifth claims in a third amended complaint filed by August 7, 2015. (*Id.* at 23.)

On July 16, 2015, the court denied Mr. Wyrzykowski’s motion for reconsideration and reiterated that Mr. Wyrzykowski may file a third amended complaint by August 7, 2015 to amend his first, second, third, fourth, and fifth claims but that he may not name new defendants in it. (7/16/2015 Order, ECF No. 70.)

To date, Mr. Wyrzykowski has not filed a third amended complaint. Because Mr. Wyrzykowski is proceeding pre se, and in light of his motion for sanctions filed on August 6, 2015

ORDER (No. 3:14-cv-03825-LB)

1 (which the court denied today, September 1, 2015), the court extends the deadline for Mr.
2 Wyrzykowski to file a third amended complaint to September 16, 2015. If Mr. Wyrzykowski fails
3 to file a third amended complaint by that date, the court may dismiss his action for failure to
4 prosecute. *See* Fed. R. Civ. P. 41(b).

5 In light of this extension of time, the court also continues the case management conference
6 from September 17, 2015 to December 10, 2015 at 11:00 a.m. in Courtroom C, 15th Floor, United
7 States District Court, 450 Golden Gate Avenue, San Francisco, California 94102. The parties must
8 file case management conference statements by December 3, 2015.

9 **IT IS SO ORDERED.**

10 Dated: September 1, 2015



LAUREL BEELER
United States Magistrate Judge

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