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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CARLOS A. HAWTHORNE,
Plaintiff,
v.
A YANEZ, et al.,
Defendants.

Case No. [17-cv-04960-HSG](#)**ORDER GRANTING SECOND
EXTENSION OF TIME TO FILE
SECOND AMENDED COMPLAINT**

Re: Dkt. No. 39

Good cause being shown, Plaintiff's request for a second extension of time to file his second amended complaint is GRANTED. Dkt. No. 39. If Plaintiff wishes to file a second amended complaint, he must file the second amended complaint by May 21, 2021. If Plaintiff fails to file a second amended complaint in the time provided, the first amended complaint will remain the operative complaint and this action will proceed on the claims found cognizable in the Court's November 24, 2020 order of partial service. The Court will not reset the briefing schedule at this time. If Plaintiff files a second amended complaint, the Court will reset the briefing schedule at that time.

Plaintiff has indicated that he plans to file a discovery request with the Court. Dkt. No. 39. Plaintiff should not file his discovery requests or responses with the Court. Discovery requests and responses normally are exchanged between the parties without any copy sent to the court. *See* Fed. R. Civ. P. 5(d) (listing discovery requests and responses that "must not" be filed with the court until they are used in the proceeding or the court orders otherwise). The Court generally is not involved in the discovery process and only becomes involved when there is a dispute between the parties about discovery responses that they cannot resolve themselves.


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This order terminates Dkt. No. 39.

IT IS SO ORDERED.

Dated: 3/19/2021


HAYWOOD S. GILLIAM, JR.
United States District Judge