

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

This matter is before the Court on Plaintiff's Motion for Clarification (#106), filed January 19, 2011. Due to the conflicting discovery deadlines established in the Court's Order granting plaintiff's Motion for Order (#97) and the Court's Scheduling Order for Civil Rights Actions Filed by Incarcerated *Pro Se* Plaintiff (#104), Plaintiff requests that the Court clarify the discovery deadlines in this action. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Clarification (#106) is granted.

IT IS FURTHER ORDERED:

1. Any and all pleadings that may be brought under Fed.R.Civ.P. 13 & 14, or joining additional parties under Fed.R.Civ.P. 19 & 20, shall be filed no later than **March 4, 2011**. Any party causing additional parties to be joined or brought into this action shall contemporaneously therewith cause a copy of this Order to be served upon the new party or parties.

2. Amendments to pleadings as provided for under Fed.R.Civ.P. 15, if the same are allowed without leave of court, or motions for leave to amend, shall comply with LR 15-1 and shall be filed and served no later than **March 4, 2011**.

3. Any discovery motions shall be filed and served no later than **March 25, 2011** from the date of this Order.

1 4. Motions for summary judgment shall comply with the requirements of LR 56-1 and shall
2 be filed and served no later than **May 5, 2011**.

3 5. Any motion filed beyond the time limit fixed by this Scheduling Order shall be stricken,
4 unless the Court grants an exception for good cause shown.

5 6. **DISCOVERY:** Pursuant to LR 16-1(b), discovery in this action shall be completed on
6 or before **April 5, 2011**.

7 7. **EXTENSIONS OF DISCOVERY:** Pursuant to LR 26-4, an extension of the discovery
8 deadline will not be allowed without a showing of good cause. All motions or stipulations to extend
9 discovery shall be received by the Court no later than **March 16, 2011**, or at least **20 days** prior to this
10 expiration of any extension thereof that may have been approved by the Court. The motion or
11 stipulation shall include:

12 (a) A statement specifying the discovery completed by the parties of the date of the motion
13 or stipulation;

14 (b) A specific description of the discovery which remains to be completed;

15 (c) The reasons why such remaining discovery was not completed within the time limit of
16 the existing discovery deadline; and

17 (d) A proposed schedule for the completion of all remaining discovery.

18 8. In the event that the Federal Rules of Civil Procedure provide for any shorter time
19 periods for the filing of motions or pleadings, said shorter time limits shall apply notwithstanding the
20 time limits set forth in this Scheduling Order. Pursuant to the authority given to the Court in Fed. R.
21 Civ. P. 16(b), motions for summary judgment under Fed. R. Civ. P. 56 must be filed no later than the
22 time provided in paragraph 4 of this Order.

23 9. **PRETRIAL:** Pursuant to LR 16-3(a), the Clerk shall issue a Pretrial Notice Order five
24 (5) days past the date for filing motions for summary judgment or all motions for summary judgment
25 are denied, whichever is later.

26 10. Any party who desires an amendment to this Scheduling Order shall no later than **March**
27 **4, 2011**, file and serve a statement of proposed amendments and the reasons therefor. Each other party
28 shall have **15 days** within which to file and serve a response thereto. After March 25, 2011, any

amendment of this Scheduling Order shall be granted only upon motion and good cause shown.

11. In all cases where a party or counsel is required to effect service hereunder, a certificate of such service shall be filed forthwith with the Clerk of the Court.

DATED this 25th day of January, 2011.

George Foley Jr.

GEORGE FOLEY, JR.
United States Magistrate Judge