

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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JERMAINE FANN,

Plaintiff,

v.

No. 15-CV-1339  
(DNH/CFH)

H. GRAHAM, Superintendent, Auburn  
Correctional Facility; et al.,

Defendants.

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**CHRISTIAN F. HUMMEL  
U.S. MAGISTRATE JUDGE**

**APPEARANCES:**

**OF COUNSEL:**

Jermaine Fann  
Plaintiff Pro Se  
430 Main Street, Apt. 206  
Dunkirk, New York 14048

HON. ERIC T. SCHNEIDERMAN  
Attorney General for the  
State of New York  
The Capitol  
Albany, New York 12224  
Attorney for Defendants

WILLIAM A. SCOTT, ESQ.  
Assistant Attorney General

**DECISION AND ORDER**

On July 8, 2016, plaintiff filed a motion to compel further responses to his request for production of documents and for the appointment of counsel. Dkt. No. 61. On July 20, 2016, this Court issued a Decision and Order denying without prejudice plaintiff's motion seeking the appointment of counsel. Dkt. No. 67.

On August 16, 2016, the Court issued a text order which, among other things,

directed defendants to file a response to plaintiff's motion to compel (Dkt. No. 61) by September 2, 2016. Dkt. No. 87. The Court further directed that plaintiff file any reply by September 9, 2016. Id. Defendants filed a response on September 2, 2016. Dkt. No. 92. Plaintiff did not file a reply.

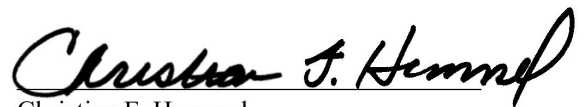
On November 1, 2016, this Court issues a text order scheduling oral argument on plaintiff's motion to compel (Dkt. No. 61). On November 15, 2016, plaintiff and counsel for defendants participated in oral argument on-the-record. As directed during that conference and for the reasons stated at that time, which are incorporated by reference, it is hereby

**ORDERED** that

- 1) Defendants shall provide further responses to plaintiff's request for the production of documents by **December 16, 2016**.
- 2) The Mandatory Pretrial Discovery and Scheduling Order filed on March 14, 2016 (Dkt. No. 23) is hereby amended as follows:
  - a. The deadline for the completion of discovery is hereby extended to **January 23, 2017**.
  - b. The deadline for the filing of dispositive motions is hereby extended to **March 13, 2017**.

**IT IS SO ORDERED.**

DATED: November 15, 2016  
Albany, New York

  
Christian F. Hummel  
U.S. Magistrate Judge