

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

CARLOS GAGOT,

Plaintiff,

- against -

RICHARD RODRIGUEZ, et al.,

Defendants.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>4/9/09</u>

ORDER

08 Civ. 0361 (LAP) (RLE)

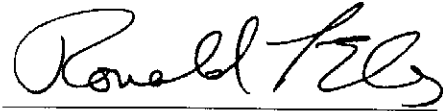
RONALD L. ELLIS, United States Magistrate Judge:

By letter dated March 31, 2009, Defendants request 1) an extension of the discovery cutoff in this case from April 1, 2009, to April 10, 2009, for the re-opening of pro se plaintiff Carlos Gagot's deposition; 2) discovery remain open past April 10, 2009, for the purpose of obtaining Gagot's medical records from a newly identified medical provider; and 3) a thirty-day period, following the receipt of the new medical documents, so that Defendants may conduct expert discovery in regard to Gagot's alleged neurological condition.

Defendants note that much of Gagot's March 24, 2009 deposition testimony was lost because of a power outage at Sing Sing Correctional Facility. They also indicate that Gagot did not list his neurological condition in his responses to Defendants' interrogatories, and did not disclose the relevant information until he was questioned on the matter at his deposition. Defendants have represented to the Court that it will take them approximately thirty days to obtain Gagot's medical records from the newly identified provider.

IT IS HEREBY ORDERED THAT Defendants' request is **GRANTED**. Defendants **SHALL** complete expert discovery in regard to Gagot's alleged neurological condition no later than **June 12, 2009**.

SO ORDERED this 9th day of April 2009
New York, New York

A handwritten signature in black ink, appearing to read "Ronald L. Ellis", written in a cursive style.

The Honorable Ronald L. Ellis
United States Magistrate Judge