

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THOMAS DENTON,

Plaintiff,

v.

FRED FIGUEROGA et al.,

Defendants.

No. 2:10-1966RJB/JRC

ORDER GRANTING PLAINTIFF'S
MOTION FOR AN EXTENSION OF TIME
AND ISSUING A SCHEDULING ORDER

This 42 U.S.C. § 1983 civil rights action has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and(B) and Local Magistrate Judge Rules MJR 1, MJR 3, and MJR 4. Before the court is plaintiff's motion for an extension of time to respond to a pending motion to dismiss filed by some of the defendants (ECF No. 21). Defendants who filed the motion to dismiss are represented by Assistant Attorney General Douglas Carr. They do not object to the motion to extend time (ECF No. 22). Other defendants are not represented.

The motion to extend time is GRANTED. Plaintiff will have until May 27, 2011 to respond to the motion to dismiss. Any reply may be filed on or before June 10, 2011. The motion to dismiss (ECF No. 16) is re-noted for June 10, 2011.

ORDER - 1

1 If a motion for summary judgment is filed, it is important for the opposing party to note
2 the following:

3 A motion for summary judgment under Rule 56 of the Federal Rules of Civil
4 Procedure will, if granted, end your case.

5 Rule 56 tells you what you must do in order to oppose a motion for summary
6 judgment. Generally, summary judgment must be granted when there is no genuine issue
7 of material fact -- that is, if there is no real dispute about any fact that would affect the
8 result of your case, the party who asked for summary judgment is entitled to judgment as
9 a matter of law, which will end your case. When a party you are suing makes a motion
10 for summary judgment that is properly supported by declarations (or other sworn
11 testimony), you cannot simply rely on what your complaint says. Instead, you must set
12 out specific facts in declarations, deposition, answers to interrogatories, or authenticated
13 documents, as provided in Rule 56(e), that contradict the facts shown in the defendant's
14 declarations and documents and show that there is a genuine issue of material fact for
15 trial. If you do not submit your own evidence in opposition, summary judgment, if
16 appropriate, may be entered against you. If summary judgment is granted, your case will
17 be dismissed and there will be no trial.

18 Rand v. Rowland, 154 F.3d 952, 962-63 (9th Cir. 1998).

19 Joint Status Report

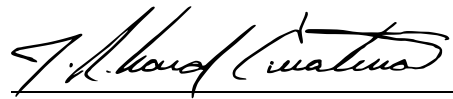
20 Counsel and pro se parties are directed to confer and provide the court with a joint status
21 report by no later than **January 20, 2012**. The joint status report shall contain the following
22 information by corresponding paragraph numbers:

- 23 1. A short and concise statement of the case, including the remaining legal and
24 factual issues to be determined at trial;
- 25 2. A narrative written statement from each party setting forth the facts that will be
26 offered by oral or written documentary evidence at trial;
3. A list of all exhibits to be offered into evidence at trial;
4. A list of the names and addresses of all the witnesses each party intends to call
along with a short summary of anticipated testimony of each witness.

1 accompany both the original and duplicates filed with the Clerk. Failure to comply with the
2 provisions of this Order can result in dismissal/default judgment or other appropriate sanctions.

3 The clerk's office is directed to remove ECF No. 21 from the court calendar, and re-note
4 ECF No. 16 for June 10, 2011.

5 DATED this 18th day of April, 2011.
6
7
8

9 

10 J. Richard Creatura
11 United States Magistrate Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26