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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 JEAN-MAX DARBOUZE,

12 Plaintiff,

13 v.
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15 HLA,

16 Defendant.
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Case No. 2:23-cv-03055 CSK P

ORDER

18 Pending before the Court is defendant Hla's motion to modify the scheduling order filed
19 September 24, 2024. (ECF No. 20.) In this motion, defendant requests that the September 27,
20 2024 discovery deadline and the December 20, 2024 dispositive motion deadline be vacated and
21 reset after the Court rules on defendant's concurrently filed motion for summary judgment
22 arguing that plaintiff failed to exhaust administrative remedies. (ECF Nos. 19, 20.) In the motion
23 to modify the scheduling order, defendant also states that he scheduled plaintiff's deposition so it
24 will be completed prior to the September 27, 2024 discovery deadline. (ECF No. 20.)

25 On September 27, 2024, defendant filed an addendum to his motion to modify the
26 scheduling order. (ECF No. 21.) In the addendum, defendant states that he was unable to
27 complete plaintiff's deposition prior to the September 27, 2024 discovery deadline due to
28 unexpected circumstances concerning the translator for plaintiff's deposition. (Id.) Due to these

1 unexpected circumstances, defendant requests that the Court extend the discovery deadline by
2 sixty days after the Court rules on defendant's pending summary judgment motion. (Id.)
3 Defendant states that sixty days will provide defendant sufficient time to attempt to resolve the
4 translation issues with taking plaintiff's deposition and file any necessary motion to compel
5 before a dispositive motion for summary judgment on the merits. (Id.) Defendant states that
6 during defendant's unsuccessful attempt to depose plaintiff, plaintiff agreed to extending the
7 discovery deadline and wanted the opportunity to have his deposition retaken. (Id.) Good cause
8 appearing, the Court will grant the parties sixty days to complete discovery following resolution
9 of defendant's pending summary judgment motion, if appropriate.

10 Good cause appearing, IT IS HEREBY ORDERED that:

- 11 1. Defendant's motion to modify the scheduling order (ECF No. 20) is granted; and
- 12 2. The deadlines to complete discovery and file dispositive motions are vacated and will be
13 reset following resolution of defendant's pending summary judgment motion, if appropriate.

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15 Dated: October 3, 2024

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17 CHI SOO KIM
18 UNITED STATES MAGISTRATE JUDGE

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