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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JODY GARDNER CLANAHAN,

CASE NO. CV F 05-0796 LJO DLB

Plaintiff,

**ORDER TO PROCEED WITH TRIAL
SETTING CONFERENCE**

vs.

McFARLAND UNIFIED SCHOOL
DISTRICT, et al.,

Date: August 22, 2007
Time: 8:30 a.m.
Dept.: 4 (LJO)

Defendants.

Plaintiff filed an August 13, 2007 notice to attempt to appeal this Court's August 3, 2007 orders to grant defendants McFarland Unified School District and David Diaz a new trial and to deny plaintiff's attorney fees motion as moot or premature. Plaintiff is not entitled to appeal directly the order to grant a new trial and to deny plaintiff's attorney fees motion. This Court will proceed with the August 22, 2007 conference to set a trial on claims against defendants McFarland Unified School District and David Diaz.

IT IS SO ORDERED.

Dated: August 14, 2007

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE