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

ROBERT HACKWORTH,)	
)	CV F 06-0772 AWI DLB P
Plaintiff,)	
)	ORDER CONCERNING
v.)	PLAINTIFF'S AVAILABILITY
)	
H. GERMAN, et al.,)	
)	
Defendants.)	

Plaintiff Robert Hackworth ("Plaintiff") is an inmate formerly in the custody of the California Department of Corrections. The above captioned action is currently scheduled for trial on May 25, 2010. The court has been advised that Plaintiff has been transferred to the custody of the Los Angeles Sheriff's Department for the purpose of providing testimony in a criminal matter currently pending there. As a result, Plaintiff was not available to telephonically attend a pretrial conference that was scheduled for March 22, 2010. The planned duration of Plaintiff's custody with the Los Angeles Sheriff's Department is unknown at this time. The pretrial conference that was set for March 22, 2010, has been continued to Monday, April 26, 2010 at 3:00 p.m. Trial in this matter remains scheduled for May 25, 2010.

Because of the press of business before the court, the court is concerned that all parties cooperate to secure Plaintiff's presence as needed to maintain the trial date and other hearing

1 dates as currently set in this case. To help assure such cooperation, the court hereby ORDERS as
2 follows:

- 3 1. The court hereby REQUESTS that California Department of Corrections take all
4 necessary steps to make Plaintiff available for telephonic appearance at the pretrial
5 conference scheduled for April 26, 2010 at 3:00 p.m. and available in person for hearing
6 on motions in limine and trial on May 25, 2010, at 8:30 a.m. California Department of
7 Corrections personnel are REQUESTED to cooperate fully with the authority having
8 custody over Plaintiff to enable Plaintiff's telephonic appearance at the scheduled time.
- 9 2. The court REQUESTS that Los Angeles Sheriff's Department, or the authority having
10 custody of Plaintiff, cooperate fully with California Department of Corrections to secure
11 Plaintiff's attendance at the pretrial conference scheduled for April 26, 2010 at 3:00 p.m.
12 and his attendance in person at the hearing on motions in limine and trial on May 25,
13 2010, at 8:30 a.m.
- 14 3. California Department of Corrections shall notify the court and shall notify the attorney
15 for Defendants if any problems preventing the availability of Plaintiff as currently
16 scheduled arise.

17 IT IS SO ORDERED.

18 **Dated: March 26, 2010**

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE