

1 testify from the federal court in Bakersfield, California. Plaintiff's counsel agreed to
2 this request. The Court will allow the video testimony.

3 5. Plaintiff's counsel requests Plaintiff be allowed to dress in civilian clothes, and
4 counsel has made arrangements to obtain clothes from the public defender's office
5 in Fresno. Defendants' concern is that Plaintiff has a history of exposing himself, and
6 want Plaintiff to be properly secured. The Court will allow Plaintiff to dress in
7 civilian clothing for the trial. The clothes will be given to the U.S. Marshall for
8 Plaintiff to change into at the court on the morning of trial.


9 6. Defense counsel states Plaintiff has a history of assaulting and attempting to assault
10 correctional officers, and wants Plaintiff to be properly restrained during trial.
11 Plaintiff's counsel does not oppose the use of restraints as long as the leg restraints
12 are not visible to the jury while Plaintiff is seated at counsel's table, and as long as
13 Plaintiff is moved to the witness stand outside the presence of the jury.

14 7. The Court shall issue the required order and writ of habeas corpus ad testificandum
15 to transport Plaintiff to trial.

16 8. The parties shall follow the dates specified in section XVIII of the Court's June 24,
17 2013 pretrial order regarding submission of motions in limine and other documents.

18 9. The Court will review the briefings filed regarding Defendants' Motion for Judgment
19 on the Pleadings (Docs. 85, 95, 98). Counsel for both parties stated oral argument
20 was unnecessary. If the Court determines oral argument would be beneficial, the
21 Court will advise the parties of the date and time of the hearing.

22 DATED this 8th day of July, 2013.

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26 **Raner C. Collins**
27 **United States District Judge**
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