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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

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10 CECILIA FRAHER,

11 Plaintiff,

12 v.

13 SURYDEVARA, et al.,

14 Defendants.

Case No. 1: 06-CV-01120-AWI-GSA

**ORDER RESCHEDULING HEARING
DATE AND EXTENDING TIME
FOR FILING OF SUPPLEMENTAL BRIEFS
ADDRESSING PLAINTIFF'S MOTION
FOR PRELIMINARY INJUNCTION**

(Doc. 109)

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17 This is a civil action filed pursuant to 42 U.S.C. § 1983 and California tort law by
18 Plaintiff Cecilia Fraher, a state prisoner. The action is proceeding on Plaintiff's second amended
19 complaint, filed March 7, 2008, against Defendant Surydevara for violation of the Eighth
20 Amendment of the United States Constitution, and against Defendants Surydevara, Ashraf, and
21 Spaeder on Plaintiff's state law negligence claims.

22 On February 6, 2009, Plaintiff, then proceeding pro se, filed a motion seeking a
23 preliminary injunction. On June 4, 2009, the Court appointed counsel to represent Plaintiff. On
24 June 22, 2009, Plaintiff advised the Court of her intention to pursue her motion. On June 30,
25 2009, the Court set the matter for hearing and ordered a supplementary briefing schedule.

26 On July 20, 2009, Plaintiff moved for an extension of time in which to file her
27 supplemental brief, supported by the Declaration of her attorney John F. Garland, who reported
28 delays attributable to prison restrictions and Plaintiff's ongoing health problems.

1 Accordingly, it is **HEREBY ORDERED** that:

- 2 1. Plaintiff's motion for preliminary injunctive relief is rescheduled for hearing
3 before the Honorable Anthony W. Ishii on August 31, 2009 at 1:30 p.m. in
4 Courtroom 2;
- 5 2. Plaintiff shall file the supplemental brief in support of her motion on or before
6 August 3, 2009; and
- 7 3. Defendants shall file the supplemental briefs in support of their opposition on or
8 before August 19, 2009.

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11 IT IS SO ORDERED.

12 **Dated: July 28, 2009**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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