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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

WILLIAM NIBLE,

Plaintiff,

v.

E. FLORES, et al.,

Defendants.

CASE NO. 1:06-cv-01716-BAM PC

ORDER GRANTING PLAINTIFF’S MOTION  
TO MODIFY PRETRIAL ORDER (DOC. 86)

Plaintiff William Nible (“Plaintiff”) is a California state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This case is proceeding on Plaintiff’s second amended complaint, filed July 21, 2009, against Defendant E. Flores for violation of the First Amendment. On February 29, 2012, Plaintiff filed a motion to modify the Court’s February 13, 2012 Pretrial Order.

Plaintiff contends that 1) Millie Hickman should be included on Plaintiff’s witness list and 2) Plaintiff’s exhibit, barristerbooks.com 1983 Litigation in a Nut Shell, order #058-4668727-0442946, and June 9, 2006, order # S0-80126, book by Judge Bork, should be included on Plaintiff’s exhibit list.

Pursuant to Rule 16(e) of the Federal Rules of Civil Procedure, the final pretrial order may be modified by the Court to prevent manifest injustice. *Galdamez v. Potter*, 415 F.3d 1015, 1020 (9th Cir. 2005). The Court finds cause to modify the pretrial order.

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Accordingly, it is HEREBY ORDERED that:

1. Millie Hickman is included on Plaintiff's witness list in the February 13, 2012 Pretrial Order at Section VII, subsection A;
2. barristerbooks.com 1983 Litigation in a Nut Shell, order #058-4668727-0442946, and June 9, 2006, order # S0-80126, book by Judge Bork are included as exhibits on Plaintiff's exhibit list at Section VIII, subsection A; and
3. All other provisions of the Pretrial Order remain in effect.

IT IS SO ORDERED.

**Dated: March 1, 2012**

**/s/ Barbara A. McAuliffe**  
UNITED STATES MAGISTRATE JUDGE