

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

LAWTIS DONALD RHODEN,

Plaintiff,

v.

STEPHEN W. MAYBERG, BEN  
McCLAIN, GEORGE MAYNARD,  
NORM KRAMER, CYNTHIA A.  
RADAUSKY, and PAM AHLIN,

Defendants.

Case No. 1:07-cv-1151-BLW-LMB

**ORDER**

Pending before the Court are a Report and Recommendation issued by the United States Magistrate Judge and several motions filed by Plaintiff. Having reviewed the record, the Court enters the following Order.

**ORDER**

**IT IS HEREBY ORDERED:**

1. Plaintiff'S Motion that the Court Not to Consolidate this Case (Dkt. 43) was GRANTED as a result of the Order of (Dkt. 44), and therefore it is MOOT.
2. Plaintiff's Motion Requesting a Second Informational Order (Dkt. 45) is

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DENIED. Plaintiff is directed to file a response to the portion of the Report and Recommendation recommending that Defendants' Motion to Dismiss be granted if he wishes to avoid dismissal of his case. Plaintiff shall have until **September 29, 2010**, in which to file any objection to the pending Report and Recommendation. Failure to do so will result in dismissal of Plaintiff's case on the grounds recommended by the United States Magistrate Judge.

3. Plaintiff's Motion for Expedited Ruling on Defendants' Motion to Dismiss (Dkt. 46) is GRANTED to the extent that the Report and Recommendation has been issued.



DATED: **September 21, 2010**

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. LYNN WINMILL  
Chief Judge  
United States District Court