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

DESHA CARTER,

Plaintiff,

vs.

C. MUNOZ, et al.,

Defendants.

Case No. 1:07-cv-01736 JLT (PC)

ORDER DENYING MOTIONS IN LIMINE
AS RENDERED MOOT

(Docs. 87 & 88)

ORDER VACATING WRITS OF HABEAS
CORPUS AD TESTIFICANDUM

(Docs. 72, 73 & 74)

_____ /

Plaintiff is a parolee proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On February 8, 2011, the parties appeared for a telephonic settlement conference before United States Magistrate Judge Dennis L. Beck and reached settlement of this matter. (Doc. 90.) All dates, including the February 28, 2011 jury trial date, have been vacated.

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

1. Defendants’ February 3, 2011 motion in limine to exclude expert medical testimony by Plaintiff (Doc. 87) is **DENIED** as having been rendered moot;
2. Defendants’ February 3, 2011 motion in limine to exclude evidence of possible reimbursement (Doc. 88) is **DENIED** as having been rendered moot;

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- 3. The writ of habeas corpus ad testificandum issued for inmate Doen Naeem Haygood, CDC# T-15851, (Doc. 72) is **VACATED** as this witness is no longer needed for jury trial in this matter;
- 4. The writ of habeas corpus ad testificandum issued for inmate Daniel Perez, CDC# T-15851, (Doc. 73) is **VACATED** as this witness is no longer needed for jury trial in this matter;
- 5. The writ of habeas corpus ad testificandum issued for inmate Robert W. Porter, CDC# C-50578, (Doc. 74) is **VACATED** as this witness is no longer needed for jury trial in this matter; and
- 6. The Clerk of the Court is directed to send a copy of this order to the warden of the institution of incarceration for each of the three inmate witnesses listed above.

IT IS SO ORDERED.

Dated: February 9, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE