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

MARK JONES,

Plaintiff,

v.

**CALIFORNIA DEPARTMENT OF
CORRECTIONS, *et al.*,**

Defendants.

1:08-cv-00069 LJO DLB (PC)

**ORDER SETTING
EVIDENTIARY HEARING**

12 This Court has received and reviewed the Ninth Circuit Memorandum dated
13 August 12, 2014. Doc. 84. Pursuant to the Order therein, this Court sets an Evidentiary
14 Hearing on Monday, December 8, 2014 at 1:15 p.m. in Courtroom Four on the Seventh
15 Floor of the United States Courthouse in Fresno, California. The hearing will commence
16 and be completed that afternoon, and will be limited to the issue of exhaustion as it
17 relates to the retaliation claim. Specifically, the questions to be answered are:

- 18
- 19 1) Whether a grievance 602 was filed; and
 - 20 2) If so, whether the grievance alleged retaliation.

21 IT IS SO ORDERED.

22 Dated: August 13, 2014

/s/ Lawrence J. O'Neill
23 UNITED STATES DISTRICT JUDGE