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3 **UNITED STATES DISTRICT COURT**
4 **EASTERN DISTRICT OF CALIFORNIA**
5

6 **JOHN DOE,**

7 **Plaintiff**

8 **v.**

9 **KAWEAH DELTA HOSPITAL;**
10 **KAWEAH DELTA HEALTH CARE**
11 **DISTRICT; JULIE BRESEMAN**
12 **INDIVIDUALLY AND AS A SOCIAL**
13 **WORKER WITH KAWEAH DELTA**
AND DOES 1 through 20 inclusive,

13 **Defendants**

CASE NO. 1:08-CV-0118 AWI GSA

ORDER REQUESTING ADDITIONAL
BRIEFING

14 This court granted summary judgment in favor of Defendants Kaweah Delta and Julie
15 Breseman. On appeal, the court's ruling in favor of Breseman was affirmed but the ruling in favor
16 of Kaweah Delta was reversed. In remanding to district court, the Ninth Circuit specifically asked
17 for consideration of equitable tolling. This is a theory that was not fully fleshed out in the
18 underlying briefing on the summary judgment motion. Thus, the parties are ordered to provide
19 additional briefing on the subject. Additionally, the parties must provide detail concerning
20 California Tort Claim Act claims. Specifically, the court seeks documentary evidence as to when
21 these claim(s) and denial(s) were sent and received. The parties must file the requested briefing
22 by August 21, 2013.
23

24 IT IS SO ORDERED.

25 Dated: July 29, 2013

26 
27 **SENIOR DISTRICT JUDGE**
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