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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 **JOHN DOE,**

9 **Plaintiff**

10 **v.**

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

Defendants

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

ORDER REQUESTING ADDITIONAL
BRIEFING

16 This court granted summary judgment in favor of Defendants Kaweah Delta and Julie
17 Breseman. On appeal, the court's ruling in favor of Breseman was affirmed but the ruling in favor
18 of Kaweah Delta was reversed. In remanding to district court, the Ninth Circuit specifically asked
19 for consideration of equitable tolling. This is a theory that was not fully fleshed out in the
20 underlying briefing on the summary judgment motion. The parties were ordered to provide
21 additional briefing on the subject. Specifically, the court seeks documentary evidence as to when
22 California Tort Claim Act claim(s) and denial(s) were sent and received. Plaintiff has requested
23 additional time. Plaintiff is ordered to file the requested briefing by May 10, 2014.

24 IT IS SO ORDERED.

25 Dated: April 4, 2014

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27 **SENIOR DISTRICT JUDGE**
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