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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

FRED PRICE,  
Plaintiff,  
vs.  
S.R. CUNNINGHAM, et al.,  
Defendants.

Case No. 1:08-cv-00425-AWI-BAM PC  
**ORDER GRANTING PLAINTIFF'S  
REQUEST TO MODIFY ORDER & WRIT  
OF HABEAS CORPUS**  
(ECF No. 103)

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. This case has been selected by the court for inclusion in the Prisoner Settlement Program, and a settlement conference is scheduled before Magistrate Judge Kendall J. Newman at the U. S. District Court, in Sacramento, California on October 31, 2013.

On October 9, 2013, the Court issued an Order & Writ of Habeas Corpus Ad Testificandum directing the Warden of Salinas Valley State Prison to produce Plaintiff in Sacramento, California on Thursday, October 31, 2013, to participate in the settlement conference. (ECF No. 101.)

On October 18, 2013, Plaintiff filed the instant request to modify the Order & Writ of Habeas Corpus Ad Testificandum. Plaintiff seeks modification of the order to allow his participation in the settlement conference via videoconference due to his medical condition and care. (ECF No. 103.)

Having considered Plaintiff's moving papers, and good cause appearing, Plaintiff's

1 request to modify the Order & Writ of Habeas Corpus Ad Testificandum is GRANTED. Plaintiff  
2 shall be permitted to appear and participate in the October 31, 2013 settlement conference via  
3 videoconference. An amended order and writ of habeas corpus ad testificandum will issue  
4 concurrently with this order.

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IT IS SO ORDERED.

Dated: October 22, 2013

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE