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

LOUIS OLIVEREZ, JR.,  
Plaintiff,  
v.  
BEN ALBITRE,  
Defendant.

Case No. 1:09-cv-00352-LJO-SKO PC  
ORDER CONFIRMING CASE FOR TRIAL  
ON OCTOBER 1, 2013, AT 8:30 A.M.

Plaintiff Louis Oliverez, Jr., proceeding pro se, and Susan E. Coleman, counsel for Defendant Albitre, appeared by telephone on August 22, 2013, at 8:15 a.m. for the trial confirmation hearing. Defendants have declined to consent to Magistrate Judge jurisdiction. This matter is confirmed for trial on October 1, 2013, at 8:30 a.m., and the writs of habeas corpus ad testificandum as to Plaintiff and his two inmate witnesses have been issued by the assigned Magistrate Judge.

As the parties were informed, this case is currently second on Judge O'Neill's trial calendar, behind a criminal matter which takes precedence; and it will trail until Judge O'Neill becomes available.  
IT IS SO ORDERED.

Dated: August 22, 2013

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