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

ARTHUR PETOSYAN,)	Case No.: 1:09-cv-00593 AWI JLT
)	
Plaintiffs,)	ORDER AFTER TELEPHONIC CONFERENCE
v.)	
)	
HEDGEPEETH, et al.,)	
)	
Defendants.)	

On June 24, 2013, the Court held a telephonic conference to evaluate whether the stay, placed on the motion to dismiss on March 18, 2013 (Doc. 18), should be lifted. The stay had been ordered to allow the parties and opportunity to attempt to resolve the matter without need for the Court’s intervention.

At the conference, the parties reported that they have agreed Defendants will provide a supplement declaration explaining points raised by Plaintiff and would provide it no later than July 12, 2013. In exchange, Defendants will withdraw subpoenas for depositions of three CDCR employees. In the event Plaintiff is not satisfied with the declaration, counsel SHALL meet and confer and, as necessary, seek a telephonic conference with the Court.

Based upon this representation, the Court **ORDERS:**

1. The stay on the motion to dismiss (Doc. 52) is **LIFTED**;
2. Any opposition to the motion to dismiss **SHALL** be filed no later than **August 2, 2013**;

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3. Any reply to the motion **SHALL** be filed no later than **August 14, 2013**;

4. Oral argument on the motion to dismiss **SHALL** be heard on **August 23, 2013**.

Telephonic appearances via CourtCall are authorized and encouraged;

5. All current dates are **VACATED** pending resolution of the motion to dismiss.

IT IS SO ORDERED.

Dated: June 25, 2013

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE