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7 TULARE DISTRICT HEALTHCARE SYSTEM

8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 TULARE DISTRICT HEALTH CARE  
12 SYSTEM,  
13 Plaintiff,  
14 v.  
15 THE DOW CHEMICAL COMPANY, a  
16 Delaware corporation, DOW ROOFING  
17 SYSTEMS, LLC, a limited liability  
18 company, f/k/a and as successor in interest  
19 to JPS ELASTOMERICS  
CORPORATION dba STEVENS  
ROOFING SYSTEMS, a Delaware  
corporation, and DOES 1 through 100,  
inclusive,  
20 Defendants.

Case No. 1:09-cv-2206-AWI-DLB

**[PROPOSED] ORDER REGARDING EX  
PARTE APPLICATION FOR AN ORDER  
SHORTENING TIME FOR HEARING ON  
MOTION FOR LEAVE TO FILE AN  
AMENDED COMPLAINT AND FOR  
REMAND TO TULARE COUNTY  
SUPERIOR COURT**

Magistrate Judge: Dennis L. Beck

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22 On January 4, 2010, Plaintiff TULARE DISTRICT HEALTHCARE SYSTEM  
23 ("Plaintiff" or the "District") filed an Ex Parte Application for an Order Shortening Time for  
24 Hearing on Motion for Leave to File an Amended Complaint and for Remand to Tulare County  
25 Superior Court.

26 Having read and considered Plaintiff's Ex Parte Application for an Order Shortening Time  
27 for Hearing on Motion for Leave to File an Amended Complaint and for Remand to Tulare  
28 County Superior Court and having learned in a telephone conference with counsel for the Plaintiff

1 and for the Defendants that Defendants agree to shorten time, the Court finds good cause for the  
2 Application.

3 THEREFORE, IT IS HEREBY ORDERED THAT:

4 (1) The hearing on Plaintiff's Motion for Leave to File an Amended Complaint and  
5 for Remand to Tulare County Superior Court will proceed on shortened notice on January 22,  
6 2010, at 9:00 a.m. in Courtroom #9 of the above-referenced Court.

7 (2) The District shall immediately serve its motion on all parties by facsimile or e-  
8 mail.

9 (3) THE DOW CHEMICAL COMPANY's and/or DOW ROOFING SYSTEMS,  
10 LLC's opposition papers to the District's Motion, if any, shall be filed and served no later than  
11 January 14, 2010, and shall be served on all parties by facsimile or e-mail; the District's reply  
12 papers, if any, shall be filed and served no later than January 19, 2010, and shall be served on all  
13 parties by facsimile or e-mail.

14 IT IS SO ORDERED.

15 Dated: January 5, 2010

16 /s/ Dennis L. Beck  
17 UNITED STATES MAGISTRATE JUDGE

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