

**FILED**

**AUG 14 2014**

**CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

BY  **DEPUTY CLERK**

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United States Attorney  
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7 Attorneys for the United States

8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

11	EMERY L. FRANKLIN, III,	)	1:10-cv-00142-LJO-MJS-PC
12	Plaintiff,	)	STIPULATION FOR THE
13	v.	)	ADDITIONAL PAYMENT OF COSTS;
14	UNITED STATES OF AMERICA,	)	<del>PROPOSED</del> ORDER
15	Defendant.	)	Trial Date: August 14, 2014
16		)	Time: 8:30 a.m.
		)	Ctrm. 6
		)	Judge Michael J. Seng

17 The parties to this action hereby stipulate and agree as follows:

18 The Court previously ordered Plaintiff to provide service information for each witness being  
19 commanded to appear at the trial of this matter, set for August 14, 2014, along with a money order made  
20 payable to each witness as required for payment of witness fees and mileage. Plaintiff submitted the  
21 required information and a money order in the amount of \$113.45, made payable to Mr. Ogues. (Dkt.  
22 121.)

1.23 1. The parties agree that Mr. Rodrigo Ogues will incur additional costs for mileage in the  
24 amount of \$116.39, for his travel to and from this Court, to comply with the subpoena commanding his  
25 appearance and testimony at the trial of this matter on August 14, 2014.

26 2. Plaintiff will bear the additional mileage costs for Mr. Ogues in the amount of \$116.39.

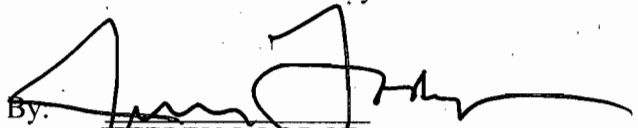
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28 STIPULATION FOR THE ADDITIONAL PAYMENT OF COSTS; [PROPOSED] ORDER

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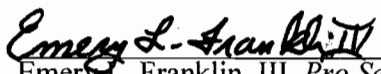
Dated: August 14, 2014

Respectfully submitted,  
BENJAMIN B. WAGNER  
United States Attorney

By:   
JEFFREY J. LODGE  
Assistant U.S. Attorney  
Attorneys for the United States

Dated: August \_\_, 2014

Emery L. Franklin, III, Plaintiff

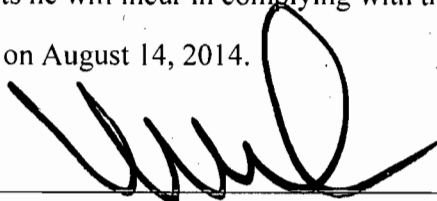
By:   
Emery L. Franklin, III, *Pro Se*

ORDER

Accordingly, per the agreement of the parties and for good cause showing,  
Plaintiff, Emery L. Franklin, III, will obtain a money order made payable to Rodrigo Ogues in  
the amount of \$116.39, for the additional mileage costs he will incur in complying with the subpoena  
commanding his appearance at the trial of this matter on August 14, 2014.

It is SO ORDERED.

Dated: AUGUST 14, 2014

  
Honorable Michael J. Seng  
UNITED MAGISTRATE JUDGE