



1 indicated on the record, Plaintiff has withdrawn his request to amend his pretrial statement with  
2 respect to the package catalogs and the related online websites. Based on Plaintiff's withdrawal,  
3 Plaintiff's request to amend his pretrial statement to add these exhibits is now moot.

4 With regard to the declarations, the Court previously informed Plaintiff that the  
5 declarations filed in support of various motions need not be listed as exhibits in the pretrial order.  
6 Thus, any request to amend the pretrial statement to add these exhibits also is moot.

7 Finally, with respect to the United States Commission on Civil Rights report (and  
8 website), the Court finds the proposed exhibit to be irrelevant to the Free Exercise claim at issue  
9 and the California Department of Corrections and Rehabilitation religious policies in effect  
10 during the relevant time period. Fed. R. Evid. 401. Even if the report were deemed relevant,  
11 however, its probative value is substantially outweighed by a danger of confusing the issues and  
12 misleading the jury. Fed. R. Evid. 403. Plaintiff will therefore be precluded from introducing  
13 this exhibit (and related website) at trial.

14 For these reasons, IT IS HEREBY ORDERED that Plaintiff's motion to amend his  
15 pretrial statement, filed on July 10, 2017, is DENIED.

16  
17 IT IS SO ORDERED.

18 Dated: July 27, 2017

/s/ Barbara A. McAuliffe  
19 UNITED STATES MAGISTRATE JUDGE