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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

**LARRY L. EDWARDS, ALAN M.
HILDRETH,**

Plaintiff,

v.

**DEPARTMENT OF STATE HOSPITAL
(DSH) - COALINGA FORMALLY
DEPARTMENT OF MENTAL HEALTH
(DMH) - COALINGA, PAMELA AHLIN,
DAVID MONTOYA, ANDREW BERARD,
ROBERT OLIVEIRA,**

Defendants.

Case No. 1:13-cv-00105-AWI-MJS

**ORDER SETTING BRIEFING
SCHEDULE FOR MOTION TO STRIKE**

Plaintiffs have filed a motion for summary judgment. However, Defendants' motion to dismiss is currently under submission and pending before the court. Defendants request that the court strike the motion for summary judgment as premature and ask that the court shorten time for briefing regarding the motion to strike.

Plaintiffs shall file any opposition to the motion to strike by May 13, 2013, and Defendants shall file any reply by May 20, 2013. The court will then take the motion to strike under submission and issue an order regarding the motion to strike. In the event the motion to strike is

1 denied, the court will then set a deadline for Defendants to file any opposition to the motion for
2 summary judgment. Defendants are relieved from any obligation to file an opposition to the
3 motion for summary judgment at this time. The court will not rule on the motion for summary
4 judgment until the motion to dismiss is resolved, the motion to strike is resolved, and Defendants
5 are given an opportunity to oppose the motion for summary judgment. In light of this order,
6 Defendants' application for an order shortening time is denied as moot.

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IT IS SO ORDERED.

Dated: April 29, 2013



SENIOR DISTRICT JUDGE