

1 compel the attendance of the witness at trial, absent a showing of extraordinary circumstances.”
2 (Order, at 8:6-10, ECF No. 88.) Accordingly, because no action is required for the attendance of
3 unincarcerated witnesses who are willing to testify voluntarily, Plaintiff’s motion is denied as
4 unnecessary.

5 However, in light of the fact that the trial was continued at the request of Defendants, the Court
6 will extend the now-expired deadlines for Plaintiff to seek a subpoena and submit the necessary
7 witness fees as required for the attendance of unincarcerated witnesses who refuse to testify
8 voluntarily.¹ (Order, at 8-9, ECF No. 88.) Thus, if Plaintiff wishes to have the United States Marshal
9 serve any unincarcerated witnesses who refuse to testify voluntarily, Plaintiff must submit the money
10 orders to the Court no later than **June 2, 2017**. In order to ensure timely submission of the money
11 orders, Plaintiff must notify the Court of the names and locations of his witnesses, on or before **May**
12 **22, 2017**.

13 Accordingly, Plaintiff’s motion for attendance of unincarcerated witnesses who have agreed to
14 testify voluntarily is denied as unnecessary, and the deadlines for the procedures of obtaining the
15 attendance of unincarcerated witnesses who refuse to testify is extended to the dates reflected above.

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17 IT IS SO ORDERED.

18 Dated: April 26, 2017



UNITED STATES MAGISTRATE JUDGE

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28 ¹ The appropriate sum of money is the daily witness fee of \$40.00 plus the witness’s travel expenses. 28 U.S.C. § 1821.