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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOHNATHAN HILL,  
Plaintiff,  
vs.  
C/O J. CLARK and  
C/O A. RIVAS,  
Defendants.

1:13-cv-00386-EPG-PC  
ORDER FOR DEFENDANTS TO RESPOND  
TO PLAINTIFF'S ASSERTION AND  
PROVIDE COPY OF DECLARATION, IF  
ANY, TO COURT  
Deadline: November 18, 2015

This case is scheduled for a telephonic trial confirmation hearing on November 19, 2015 at 9:30 a.m. in Courtroom 10. Pending is Plaintiff's motion for the attendance of an incarcerated witness, filed on September 10, 2015. (ECF No. 55.) Defendants have not filed an opposition to the motion.

In the motion, Plaintiff requests the Court to transport inmate witness, Dewayne Thompson, T-12115, to testify at trial on Plaintiff's behalf in this action. Plaintiff claims that inmate Thompson has actual knowledge of the excessive force incident upon which this case proceeds, and Plaintiff asserts that Defendants are in possession of a declaration written by inmate Thompson, concerning Thompson's knowledge of the incident.

1 Defendants shall be required to file a response to Plaintiff's assertion that they are in  
2 possession of inmate Thompson's declaration concerning Thompson's knowledge of the  
3 excessive force incident, and to provide the Court with a copy of the declaration, if any, on or  
4 before November 18, 2015, for discussion at the November 19, 2015 hearing.

5 Accordingly, IT IS HEREBY ORDERED that Defendants shall file a response to  
6 Plaintiff's assertion that they are in possession of inmate Thompson's declaration concerning  
7 Thompson's knowledge of the excessive force incident upon which this case proceeds, and to  
8 provide the Court with a copy of the declaration, if any, on or before November 18, 2015, for  
9 discussion at the November 19, 2015 hearing.

10 IT IS SO ORDERED.

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12 Dated: November 12, 2015

13 /s/ Eric P. Gray  
14 UNITED STATES MAGISTRATE JUDGE  
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