

1 and will be limited to the issue of whether Plaintiff is excused from the Prison Litigation Reform Act's
2 exhaustion requirement because administrative remedies were "effectively unable." The limited issue
3 to be determined at the hearing is whether Plaintiff submitted an inmate grievance on August 23, 2012,
4 but never received a response.

5 In preparation for the hearing, it is HEREBY ORDERED that, no later than **February 1, 2016**,
6 the parties shall confer regarding the witnesses to be called and the evidence to be presented at the
7 hearing. No later than **February 8, 2016**, defense counsel shall file a statement setting forth the
8 witnesses to be called and the documents to be presented at the hearing. The parties shall be prepared
9 to submit exhibits in proper form at the evidentiary hearing, with proper foundation. The original and
10 three copies of all exhibits, along with exhibit lists, shall be submitted to Courtroom Deputy Mamie
11 Hernandez no later than **February 8, 2016**.³ Plaintiff's exhibits shall be pre-marked using numbers
12 beginning with 1 (e.g., 1, 2, etc.). Defendant's exhibits must be pre-marked using letters beginning
13 with A (e.g., A, B, C...AA, BB, CC...AAA, BBB, CCC, etc.). A separate order and writ of habeas
14 corpus ad testificandum with issue in due course.

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16 IT IS SO ORDERED.

17 Dated: **January 7, 2016**


UNITED STATES MAGISTRATE JUDGE

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27 ³ Original for the Courtroom Deputy, one copy for the undersigned, one copy for the witness stand,
28 one copy for the opposing side.