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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

RASHID BISSAT,  
  
Plaintiff,  
  
v.  
  
CITY OF VISALIA, *a California  
municipal corporation and charter city*,  
  
Defendant.

Case No. 1:21-cv-01649-JLT-SKO  
  
ORDER GRANTING REQUEST TO MODIFY  
THE PRETRIAL ORDER  
  
(Doc. 73)

The defense requests the Court amend the pretrial order to add an exhibit, identified as a “Certified Mail Tracking and Digital Signature Retrieval Report,” to the pretrial order. (Doc. 73) Though this motion was filed on May 9, 2024, the plaintiff has not opposed the request.

The defense demonstrates that the document was only recently discovered—after the pretrial conference—and was not in the possession of the defense throughout this case. (Doc. 73 at 2-4) Once it was discovered in a previously unknown USPS database, the defense notified the plaintiff’s counsel of the discovery of the document and provided a copy of it. *Id.* Finally, the defense asserts that this document is central to the issues in the case. *Id.*

Because it appears the defense has made the requisite showing that precluding the marking of this document as an exhibit would constitute manifest injustice, the Court **GRANTS** the request. (Doc. 73) The exhibit list in the pretrial order will be amended to include this

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document. Just as with any non-joint exhibit, adding this exhibit to the list does not mean it is admissible. It means only that it *may* be admitted upon a proper showing.

IT IS SO ORDERED.

Dated: June 4, 2024

  
UNITED STATES DISTRICT JUDGE