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2 IN THE UNITED STATES DISTRICT COURT FOR THE  
3 EASTERN DISTRICT OF CALIFORNIA  
4

5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 v.

CIV. NO. S-90-1585 EJG

8 DANIEL HEATH, et al.,

ORDER AFTER HEARING

9 Defendants.  
10 \_\_\_\_\_/

11 This matter was before the court on October 15, 2009 for  
12 hearing on plaintiff's motion to re-open and for entry of  
13 judgment. Assistant U.S. Attorney Kurt Didier appeared on behalf  
14 of plaintiff. James Freeman appeared on behalf of defendant  
15 Daniel Heath. After considering the parties' written and oral  
16 arguments and the record in this matter, and for the reasons  
17 stated in the court's oral analysis in open court and on the  
18 record, the court enters the following order.

19 The motion is GRANTED IN PART AND DENIED IN PART. The case  
20 is re-opened; however, the request for entry of judgment is  
21 DENIED. The parties shall meet and confer concerning a date for  
22 a status conference or evidentiary hearing.

23 IT IS SO ORDERED.

24 Dated: October 15, 2009

25 /s/ Edward J. Garcia  
EDWARD J. GARCIA, JUDGE  
26 UNITED STATES DISTRICT COURT

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