

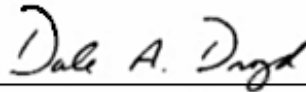


1 After discussion about the order in which petitioner's witnesses would be called, counsel  
2 agreed that petitioner's counsel would subpoena Mr. Kirk and that Mr. Pruden would accept  
3 service of that subpoena. Finally, counsel for both parties stated that they were aware of no  
4 evidentiary issues that should be resolved prior to the in-court portion of the evidentiary hearing.

5 Accordingly, and good cause appearing, IT IS HEREBY ORDERED as follows:

- 6 1. By January 6, 2013, petitioner shall submit a letter to the court regarding the proposed  
7 method for the taking of Mr. Esten's testimony. Petitioner's counsel shall e-mail the  
8 letter to [dadorders@caed.uscourts.gov](mailto:dadorders@caed.uscourts.gov) and copy respondent's counsel on that e-mail.
- 9 2. A copy of the subpoena for Mr. Kirk shall also be provided to the court by e-mail  
10 submission or fax.
- 11 3. The evidentiary hearing will begin on Monday, January 13, 2014 at 9:00 a.m. in  
12 courtroom #27. It will continue through January 16, 2014. If necessary, the hearing  
13 will continue on January 22 and 23, 2014 to its completion.

14 Dated: December 18, 2013

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17 DALE A. DROZD  
18 UNITED STATES MAGISTRATE JUDGE

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