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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID ANTHONY BREAUX,
Petitioner,
v.
WARDEN, San Quentin State Prison,
Respondent.

No. 2:93-cv-0570-JAM-EFB (TEMP)
DEATH PENALTY CASE
ORDER

In an August 2015 joint statement, the parties identified the evidentiary hearing claims which require live testimony, the claims which will be submitted solely on an expanded record, and the outstanding claims which will not require unique fact finding. ECF No. 284. The parties also tentatively identified witnesses to provide live testimony at the evidentiary hearing. The parties have now proposed a schedule for depositions, pre-hearing motions, and the evidentiary hearing. ECF No. 294.

The court finds the schedule proposed by the parties to be appropriate and supported by good cause. Accordingly, IT IS HEREBY ORDERED as follows:

- 1. By March 31, 2017, the parties shall complete all depositions of lay and expert witnesses.

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- 2. All pre-hearing motions shall be briefed and noticed for hearing to be held no later than July 22, 2017. *See* E.D. Cal. Local Rule 230(b). The parties shall comply with Local Rule 230(c) and (d) for the filing of any opposition and reply briefs concerning any such motions.
- 3. The evidentiary hearing shall commence on August 7, 2017.

DATED: March 16, 2016.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE