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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROGELIO HAMILTON RANGEL,

Plaintiff,

No. CIV S-02-1633 GEB EFB P

vs.

DR. DEEPAK MEHTA,

Defendant.

ORDER

_____/

Plaintiff is a state prisoner proceeding pro se with an action pursuant to 42 U.S.C. § 1983. The matter is before the court on remand from the Ninth Circuit for further proceedings as to plaintiff’s claims against Dr. Nabil Athanassious. The order of remand suggests appointment of counsel for plaintiff. For the reasons stated in the Ninth Circuit’s Memorandum, the court finds that appointment of counsel for plaintiff is warranted. Accordingly, attorney Jay Dyer, who has been selected from the court’s pro bono attorney panel, is hereby appointed. The case shall be set for a pretrial scheduling conference (Status Conference). Both parties shall appear by counsel at the Status Conference and be prepared to discuss how this matter should proceed.

Accordingly, IT IS HEREBY ORDERED that:

1. Jay Dyer is appointed to represent plaintiff for all further proceedings.

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1 2. The Clerk is directed to substitute Mr. Dyer in place of plaintiff who previously was
2 proceeding pro se.

3 3. This matter is set for Status Conference before the undersigned on November 18, 2009
4 at 10:00 a.m. in Courtroom No. 25. Both parties shall appear by counsel at the status conference
5 and shall be prepared to discuss how this matter should proceed.

6 4. Not later than fourteen days prior to the conference, the parties shall file and serve
7 status reports which address the timing and order of the following matters:

8 a. A proposed schedule for the litigation;

9 b. Any further discovery the parties anticipate may be necessary;

10 c. Anticipated motions; and,

11 d. Anticipated amendments to the pleadings.

12 The parties are advised that failure to timely file a status report may result in sanctions.

13 5. Jay Dyer shall notify shall notify Sujean Younger, ADR and Pro Bono Program
14 Director, at 916-930-4278, if he has any questions related to the appointment.

15 6. The Clerk of the Court is directed to serve a copy of this order upon Jay Dyer,
16 Attorney at Law, 717 K Street, #304, Sacramento, CA 95814.

17 DATED: October 1, 2009.

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19 EDMUND F. BRENNAN
20 UNITED STATES MAGISTRATE JUDGE
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