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

21	THOMAS HOWARD LENART,	)	No. 2:05-cv-01912-MCE-CKD
22	Petitioner,	)	
23	v.	)	<b><u>DEATH PENALTY CASE</u></b>
24	KEVIN A. CHAPPELL, Warden,	)	<b>ORDER</b>
25	Respondent.	)	

26  
 27 By the stipulation of the parties and for good cause shown, contingent upon this Court's granting of  
 28 an evidentiary hearing on Claim 1 and/or Claim 22 and/or Claim 38 and/or Claim 40 and/or Claim 41 of

1 the Amended Petition for Writ of Habeas Corpus, Petitioner's motion to stipulate to the declarations of  
2 Ms. Flora Mortell, Ms. Claudean Watkins, and Mr. E. C. Eddings (ECF No. 105, Attachments 14, 15, 7,  
3 and 8), in lieu of live testimony is GRANTED and the declarations may be admitted as evidence not  
4 subject to objection on hearsay or foundational grounds as if the witness had testified at the evidentiary  
5 hearing.

6 Dated: July 8, 2013

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CAROLYN K. DELANEY  
9 UNITED STATES MAGISTRATE JUDGE  
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