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9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF CALIFORNIA  
11 SACRAMENTO DIVISION

12 **BERLAN LYNELL DICEY,**

13 Plaintiff,

14 v.

15 **S. PICKENS, et al.,**

16 Defendants.  
17

2:06-cv-0482-KJN

**STIPULATION TO CONTINUE  
HEARING ON PLAINTIFF'S MOTION  
FOR A NEW TRIAL**

18  
19 **PLAINTIFF AND DEFENDANTS ENTER IN THIS FOLLOWING STIPULATION:**

20 The parties stipulate to continue the hearing on Plaintiff's motion for a new trial, currently  
21 set for March 17, 2011, at 10:00 a.m. in Department 25, to Thursday, April 7, 2011, at 10:00 a.m  
22 in Department 25.

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The stipulation is based on defense counsel's unavailability due to jury duty service.  
Defense counsel is currently serving as a juror and is unable to attend the hearing on March 17, 2011.

DATE: March 16, 2011

**ORRICK, HERRINGTON & SUTCLIFFE, LLP**

*/s/ Cameron Desmond*  
BY: \_\_\_\_\_  
CAMERON DESMOND  
*Attorney for Plaintiff*


DATE: March 16, 2011

**OFFICE OF THE ATTORNEY GENERAL**

*/s/ Tracy S. Hendrickson for*  
BY: \_\_\_\_\_  
SAMANTHA RAMSEY  
Deputy Attorney General  
*Attorneys for Hassell, Harrison,  
Pickens, and Tuter*

**IT IS SO ORDERED.**

DATE: March 16, 2011

  
\_\_\_\_\_  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE