

1 BRUCE A. SCHEIDT, State Bar No. 155088
 bscheidt@kmtg.com
 2 RONALD J. SCHOLAR, State Bar No. 187948
 rscholar@kmtg.com
 3 CHRISTOPHER ONSTOTT, State Bar No. 225968
 constott@kmtg.com
 4 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
 400 Capitol Mall, 27th Floor
 5 Sacramento, CA 95814
 Telephone: (916) 321-4500
 6 Facsimile: (916) 321-4555

7 Attorneys for Defendants
 MARK J. SIEMENS, CARLOS A. URRUTIA, and CITY
 8 OF ROCKLIN

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

13 RICK EATON,

14 Plaintiff,

15 v.

16 MARK J. SIEMENS, an individual and in
 his capacity as Chief of Police, CARLOS
 17 A. URRUTIA, an individual and in his
 capacity as City Manager, CITY OF
 18 ROCKLIN, a public municipality and
 public entity,

19 Defendants.
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CASE NO. 2:07-cv-00315-FCD-KJM

**ORDER RE: EX PARTE APPLICATION
 FOR AN ORDER SHORTENING TIME TO
 HEAR AND TO SPECIALLY SET
 DEFENDANTS' MOTION FOR STAY
 PENDING APPEAL**

[Local Rule 144(e)]

**Ctrm.: 2
 The Honorable Frank C. Damrell**

**PRETRIAL CONF.: January 22, 2010
 TRIAL DATE: March 23, 2010**

21 Defendants MARK J. SIEMENS, CARLOS A. URRUTIA and CITY OF
 22 ROCKLIN ("Defendants") ex parte application for an order shortening time to hear and to
 23 specially set Defendants' Motion for a Stay Pending Appeal having been duly considered by the
 24 Court, and good cause appearing therefore;

25 **IT IS HEREBY ORDERED** that time is hereby shortened and Defendants'
 26 Motion for a Stay Pending Appeal be set for hearing in Courtroom 2 of the United States District
 27 Court, located at 501 "I" Street, Sacramento, California, before The Honorable Frank C. Damrell,
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1 Jr. on January 29, 2010 at 10:00 a.m.

2 **IT IS FURTHER ORDERED** that Defendants' Motion for a Stay Pending
3 Appeal which is attached as Exhibit B to Defendants' Ex Parte Application to Shorten Time is
4 deemed filed effective December 31, 2009 and need not be refiled.

5 Plaintiff's opposition to the Motion for a Stay Pending Appeal shall be filed and
6 served no later than January 15, 2010.

7 Defendants' reply to Plaintiff's opposition the Motion for a Stay Pending Appeal
8 shall be filed and served no later than January 22, 2010.

9 **As a result of this order, the Court VACATES the Final Pretrial Conference**
10 **set for January 22, 2010. The parties are not required to file a joint final pretrial**
11 **conference statement at this time. The Court will reset the Final Pretrial Conference, if**
12 **necessary, in its order ruling on Defendants' Motion for a Stay Pending Appeal.**

13 **IT IS SO ORDERED.**

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15 Date: January 4, 2010

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17 FRANK C. DAMRELL, JR.
18 UNITED STATES DISTRICT JUDGE

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