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

10 ROBERT DUANE FRANKLIN,

11 Plaintiff,

No. CIV S-07-656 JAM KJM P

12 vs.

13 BUTLER, et al.,

14 Defendants.

ORDER

15 _____/
16 This case is currently set for trial on January 10, 2011 before the Honorable John
17 A. Mendez. In the pretrial order, this court granted plaintiff's request to have two witnesses,
18 Inmates Brownlee and Owens, brought to court to testify.

19 Inmate Brownlee has now filed two letters, asking to be removed from the
20 witness list. He explains that medical problems make it difficult for him to sit for the period of
21 time that a van ride from High Desert State Prison would take. The court will not require his
22 physical presence, but will not remove him from the witness list; Inmate Brownlee will be
23 permitted to testify by videoconferencing.

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1 IT IS HEREBY ORDERED that Inmate Brownlee's motions to be removed from
2 the witness list (docket nos. 94 & 95) are denied, but he will be allowed to testify by
3 videoconferencing.

4 DATED: November 18, 2010.



U.S. MAGISTRATE JUDGE

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