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

JARMAAL LARONDE SMITH,

Plaintiff,

Case No. 2:07-cv-00964 ALA (P)

vs.

LEANN CRONES, et al.,

ORDER

Defendants.

_____ /

On June 23, 2009, Defendant Simmerson filed a motion for summary judgment (doc. 57). On July 17, 2009, Plaintiff filed a motion to stay Defendant’s motion for summary judgment (doc. 67). On July 28, 2009, this Court ordered Defendant Simmerson to file a response, if any, to Plaintiff’s motion to stay Defendant’s motion for summary judgment on or before August 3, 2009 (doc. 70). No response has been filed.

It is HEREBY ORDERED that Plaintiff’s motion to stay Defendant’s motion for summary judgement is GRANTED. The motion for summary judgment is stayed pending receipt and review by Plaintiff of the documents that are the subject of the subpoena duces tecum issued on July 28, 2009 to Mike McDonald (doc. 70). All dates in the revised scheduling order

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1 filed July 10, 2009 (doc. 65), with the exception of those regarding the filing of an opposition
2 and a reply to the motion for summary judgment, remain in effect.

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4 DATED: August 5, 2009

/s/ Arthur L. Alarcón
UNITED STATES CIRCUIT JUDGE
Sitting by Designation

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