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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 July 28, 2009, this Court filed an order granting Plaintiff’s motion to issue a subpoena duces tecum and ordering the Clerk’s office to serve a subpoena duces tecum on Warden Mike McDonald. (Doc 70.) The subpoena demanded that Warden McDonald produce “All documents from personnel files of Officers Edward Simmerson and Scott Norton that concern or relate to: the alleged Jan.12, 2006 assault on Inmate Jarmaal Smith, as documented in CDC 602 inmate grievance log no. HDSP3-06-248; any investigation into this alleged assault; any adverse action taken against either officer for excessive use of force” by mailing them to Plaintiff by August 10, 2009.

Whereas the response to Defendant Simmerson’s motion for summary judgment was stayed by this Court’s order filed August 6, 2009 (doc. 76) to provide Plaintiff with enough time to review documents produced by Warden McDonald, such a response is now timely. Plaintiff

1 shall file a response to Defendant Simmerson's motion for summary judgment (doc. 57) on or
2 before August 26, 2009. Defendants Simmerson's reply, if any, to Plaintiff's response to the
3 motion for summary judgment shall be filed on or before September 2, 2009. All other dates in
4 this Court's July 10, 2009 Revised Scheduling Order (doc. 65) remain in effect.

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6 DATED: August 11, 2009

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

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