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11 Attorneys for Defendants  
 Corrections USA, a California Corporation,  
 12 California Correctional Peace Officers  
 Association, a California Corporation,  
 13 Donald Joseph Baumann, and  
 James Baiardi

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 15 UNITED STATES DISTRICT COURT  
 16 EASTERN DISTRICT OF CALIFORNIA

18 BRIAN DAWE; FLAT IRON  
 MOUNTAIN ASSOCIATES, LLC,  
 19 formerly known as Flat Iron Mountain  
 Associates, a Partnership,

20 Plaintiffs,

21 vs.

22 CORRECTIONS USA , a California  
 23 Corporation; et al.,

24 Defendants.

Case No. 2:07-cv-01790-LKK-EFB

[CONSOLIDATED MASTER CASE]

**JOINT STIPULATION SHORTENING  
 TIME ON DEFENDANTS' MOTION FOR  
 STAY OF ENFORCEMENT OF  
 JUDGMENT PENDING DISPOSITION OF  
 POST-TRIAL MOTIONS; ORDER  
 THEREON**

[Local Rule 144(e)]

Courtroom: 4  
 Judge: Hon. Lawrence K. Karlton  
 Trial: July 27, 2010

27 AND RELATED COUNTERCLAIMS  
 28 AND CROSS-COMPLAINTS

1 WHEREAS, the Court entered judgment in this action on October 25, 2010;

2 WHEREAS, Defendants Corrections USA (“CUSA”), California Correctional Peace  
3 Officers Association (“CCPOA”), Donald Joseph Baumann (“Baumann”), and James Baiardi  
4 (“Baiardi), (collectively, “Defendants”) will be filing post-trial motions, but those motions will  
5 not be heard until after the “automatic stay” on the execution of the judgment pursuant to FRCP  
6 62(a) expires on November 8, 2010;

7 WHEREAS, Defendants are filing a “Motion for Stay of Enforcement of Judgment  
8 Pending Disposition of Post-Trial Motions,” wherein they are requesting an order staying  
9 execution of judgment without security until after the disposition of Defendants’ post-trial  
10 motions, plus 30 days, to allow Defendants’ sufficient time to obtain the appropriate security;

11 WHEREAS, given the November 8, 2010, expiration of the automatic stay, Defendants  
12 wish to have their Motion to Stay heard on shortened time;

13 WHEREAS, after reviewing a courtesy copy of the Motion to Stay, Plaintiffs have  
14 consented to the matter being heard on shortened time;

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1 NOW, THEREFORE, IN LIGHT OF THE FOREGOING, IT IS HEREBY  
2 STIPULATED AND AGREED by and between Plaintiffs, on the one hand, and Defendants, on  
3 the other hand, by and through their respective undersigned counsel, pursuant to Local Rule  
4 144(e) that Defendants' Motion to Stay may be heard on shortened time, prior to November 8,  
5 2010, subject to the Court's availability.

6 Dated: November 1, 2010

7 MASTAGNI, HOLSTEDT, AMICK, MILLER &  
8 JOHNSEN

9 MANATT PHELPS & PHILLIPS LLP

10 By:  /s/ Thomas J. Umberg

11 Thomas J. Umberg  
12 Attorneys for Defendants, Corrections USA,  
13 CCPOA, James Baiardi, and Donald Joseph  
14 Baumann

15 Dated: November 1, 2010

16 WILKE, FLEURY, HOFFELT, GOULD & BIRNEY

17 By:  /s/ Daniel L. Baxter

18 Daniel L. Baxter  
19 Attorneys for Plaintiffs

20 **ORDER**

21 Based on the foregoing stipulation of the parties and good cause appearing therefor:

- 22 1. Defendants shall file their Motion to Stay on Monday, November 1, 2010.
- 23 2. The hearing on Defendants' Motion to Stay shall take place on November 8, 2010  
24 at 10:00 a.m.
- 25 3. Plaintiffs' response to Defendants' Motion to Stay shall be filed no later than  
26 November 4, 2010 at 9:00 a.m.

27 **IT IS SO ORDERED**

28 Dated: November 1, 2010



LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT