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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRIAN DAWE; FLAT IRON
MOUNTAIN ASSOCIATES, LLC,
formerly known as FLAT
IRON MOUNTAIN ASSOCIATES,
a Partnership,

NO. CIV. S-07-1790 LKK/EFB

Plaintiffs,

v.

O R D E R

CORRECTIONS USA, a California
Corporation; CALIFORNIA
CORRECTIONAL PEACE OFFICERS'
ASSOCIATION, a California
Corporation; JAMES BAIARDI,
an individual; DONALD JOSEPH
BAUMANN, an individual,

Defendants.

AND CONSOLIDATED ACTIONS &
RELATED COUNTERCLAIMS

On October 29, 2010, plaintiffs filed an application for
determination of prevailing party status. (ECF No. 520). On
November 10, 2010, the Court ordered defendants to file a response
to the application. (ECF No. 530). On November 16, 2010, defendants
filed a response in which they requested that they have "five Court

1 days to reevaluate and further respond to Plaintiffs' Application
2 after the Court's disposition of Defendants' post-trial motions."
3 (ECF No. 531). Later that day, plaintiffs' counsel informed the
4 Court that he does not intend to respond to defendants' response
5 and that he has "no problem with Defendants' closing request" to
6 file a further response to plaintiffs' application after
7 disposition of post-trial motions.

8 For the foregoing reasons, the Court ORDERS that defendants
9 SHALL file a further response to plaintiffs' application (ECF No.
10 520) five (5) days following the Court's disposition of all post-
11 trial motions.

12 IT IS SO ORDERED.

13 DATED: November 17, 2010.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT