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5 Attorneys for Plaintiff
 NYLES LAWAYNE WATSON
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 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA
 10 SACRAMENTO DIVISION
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12 **NYLES LAWAYNE WATSON,**

13 **Plaintiff,**

14 **v.**

15 **DENNIS K. SISTO, ALVARO C.**
TRAQUINA, M.D., RICHARD TAN,
 16 **M.D., JASON ROHRER, M.D.,**
ALFREDO NORIEGA, M.D., BINOYE
 17 **NAKU M.D., CALIFORNIA**
DEPARTMENT OF CORRECTIONS
 18 **AND REHABILITATION, CALIFORNIA**
STATE PRISON – SOLANO, AND DOES
 19 **1-5**

20 **Defendants.**

Case No. CIV S-07-1871 LKK GGH P

**STIPULATION AND ORDER
 CONTINUING HEARING OF
 DEFENDANTS’ MOTION TO
 DISMISS**

Date: August 6, 2009
Time: 10:00 A.M.
Dept: 24, 8th Floor
Trial Date: N/A
Action Filed: September 10, 2007

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 22 Plaintiff Nyles Lawayne Watson, Defendant Binoye Naku, M.D. (“Defendant Dr. Naku”),
 23 and Defendants Alfredo Noriega, M.D., Jason Rohrer, M.D., Dennis K. Sisto, Richard Tan, M.D.,
 24 Alvaro C. Traquina, M.D., California Department of Corrections and Rehabilitation, and
 25 California State Prison – Solano (collectively, the “CDCR Defendants”) file this Stipulation and
 26 [Proposed] Order Continuing Hearing of Defendants’ Motion to Dismiss as follows:

27 WHEREAS, the hearing of Defendant Dr. Naku’s Motion to Dismiss and the CDCR
 28 Defendants’ Motion to Dismiss is currently scheduled for August 6, 2009;

1 WHEREAS, Plaintiff's Notice of Voluntary Dismissal of His First Claim Against the
2 Institutional Defendants and His Third Claim Against The Individual Defendants In Their
3 Individual Capacity rendered Defendant Dr. Naku's Motion to Dismiss moot;

4 WHEREAS, a conflicting professional commitment has arisen on Plaintiff's counsel's
5 calendar on August 6, 2009 and the parties have agreed to continue the hearing of the CDCR
6 Defendants' Motion to Dismiss to August 13, 2009;

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1 THE PARTIES HEREBY STIPULATE THAT:

2 1. The hearing of the CDCR Defendants' Motion to Dismiss is continued to
3 August 13, 2009 at 10:00 a.m. in Courtroom 24.

4 Dated: July 28, 2009

Respectfully submitted,

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JONES DAY

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By: /s/ James P. Baker

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James P. Baker

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Attorneys for Plaintiff
NYLES LAWAYNE WATSON

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10 Dated: July 28, 2009

Respectfully submitted,

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ATTORNEY GENERAL OF THE STATE OF
CALIFORNIA

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By: /s/ Catherine Woodbridge Guess (as
authorized on July 23, 2009)

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Catherine Woodbridge Guess, Deputy
Attorney General

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15

Attorneys for Defendants
JASON ROHRER, M.D., ALFREDO
NORIEGA, M.D., RICHARD TAN, M.D.,
DENNIS K. SISTO, ALVARO C.
TRAQUINA, M.D., CALIFORNIA
DEPARTMENT OF CORRECTIONS AND
REHABILITATION, AND CALIFORNIA
STATE PRISON –SOLANO

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19 Dated: July 28, 2009

Respectfully submitted,

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WILLIAMS & ASSOCIATES

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By: /s/ Kathleen J. Williams (as authorized on
July 22, 2009)

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Kathleen J. Williams

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Attorneys for Defendant
BINOYE NAKU, M.D.

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IT IS SO ORDERED.

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Dated: July 28, 2009

/s/ Gregory G. Hollows

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The Honorable Gregory G. Hollows
United States District Magistrate Judge

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