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

CURTIS HIGHTOWER,

Plaintiff,

No. CIV S-08-0228 MCE EFB P

vs.

W. PATTON,

Defendant.

ORDER

On May 18, 2011, the undersigned held a hearing on defendant's motion to set aside default. For the reasons stated on the record, defendant's motion to set aside default is granted. The Clerk shall set aside the default of defendant Patton.

Counsel specially appearing for defendant, Richard Price, is ordered to perform a good faith inquiry into the whereabouts of Sgt. W. Patton and provide that information to the court or to the U.S. Marshal by May 27, 2011.

So ordered.

Dated: May 20, 2011.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE