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6 Attorneys for Plaintiffs  
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 7 as personal representative for the ESTATE OF  
 ROBERT ST. JOVITE; GERARD CHARLES  
 8 ST. JOVITE and NICOLE ST. JOVITE  
 9

10 IN THE UNITED STATES DISTRICT COURT  
 11 EASTERN DISTRICT OF CALIFORNIA  
 12 SACRAMENTO DIVISION

13 SHERIE LEMIRE individually and  
 as personal representative for the ESTATE OF  
 14 ROBERT ST. JOVITE; GERARD CHARLES  
 15 ST. JOVITE and NICOLE ST. JOVITE

16 Plaintiffs,

17 vs.

18 ARNOLD SCHWARZENEGGER, et al.

19 Defendants.  
 20

) Case No. 2:08-CV-00455-GEB-EFB

) **STIPULATION and ORDER TO**  
 ) **ALLOW ALL PARTIES TO**  
 ) **JOINTLY USE DEPOSITIONS**  
 ) **LODGED WITH THE COURT BY**  
 ) **DEFENDANTS (ECF 90); AND**  
 ) **ORDER AUTHORIZING PENDING**  
 ) **MOTIONS TO BE HEARD ON**  
 ) **12/6/10**

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 24 Pursuant to Federal Rules of Civil Procedure 83 and Local Rule 43 the parties stipulate as  
 25 follows:  
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27 Pursuant to Stipulation, Plaintiffs and Defendants have agreed to jointly use the  
 28 Depositions lodged with this court and defined in ECF 90.

STIPULATION AND [PROPOSED] ORDER TO ALLOW JOINT USE OF LODGED  
 DEPOSITIONS

1 The Plaintiffs are relying only on depositions lodged already in this case by the  
2 Defendants, and both parties wish to avoid duplicate lodgings.  
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4 Consequently, the parties respectfully request that this court allow Plaintiffs and  
5 Defendants to jointly use the lodged depositions of November 09, 2010, detailed in ECF  
6 90.  
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8 IT IS SO STIPULATED.

9 Dated: November 09, 2010

Respectfully submitted,

10 LAW OFFICES OF GERI LYNN GREEN<sub>LC</sub>

11  
12 By: /S/ Geri Lynn Green  
13 Geri Lynn Green (State Bar No. 127709)  
14 Attorneys for Plaintiffs

15 Dated: November 09, 2010

OFFICE OF THE ATTORNEY GENERAL

16 By: /S/  
17 Diana Esquivel  
18 Deputy Attorney General  
19 Attorney for Defendants  
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2 **Order**

3 All Parties shall be allowed to jointly use the depositions lodged with this court.

4 Further, notwithstanding the notice of motion problem each party experienced the  
5 pending motions will be heard on December 6, 2010, commencing at 9:00 a.m. This  
6 ruling grants Defendants' Application filed on November 9, 2010, and allows Plaintiffs  
7 motion to be noticed for hearing on December 6, 2010, even though Plaintiffs' had to file  
8 a corrected notice.  
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10 IT IS SO ORDERED.

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12 Dated: November 12, 2010

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GARLAND E. BURRELL, JR.  
United States District Judge  
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