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

GLORIA AVILA, et al.,

Plaintiffs,

No. CIV S-08-2488 JAM KJM

vs.

OLIVERA EGG RANCH, LLC,

Defendant.

ORDER

_____ /

Plaintiff's motion to compel access to the inside of defendant's hen houses on the day of a site inspection of the houses came on for hearing on August 12, 2009. Nicole Roth and Peter Brandt appeared for plaintiffs. Jared Mueller and Russ Wunderli appeared for defendant. Upon review of the parties' joint statement and exhibits thereto, in consideration of the parties' argument at hearing, and good cause appearing, the COURT CONFIRMS THE ORDER MADE FROM THE BENCH AS FOLLOWS:

1. Plaintiffs shall be given access to the interiors of defendant's hen houses on the day of their site inspection, for the sole purposes of a) having plaintiffs' representatives conduct an efficient assessment of an estimate of the number of hens in each house, and b) identifying, and confirming the level of operation of, the ventilation systems in each house. Plaintiff's representatives shall conduct their assessment of the interiors of the hen houses by visual

1 assessment, and shall be allowed to document the information provided for by this order in
2 written notes. Plaintiff shall not conduct any photography or videography of the interiors of the
3 hen houses.

4 2. Defendant shall have provided to plaintiffs, prior to the day of the site
5 inspection, defendant's most recent weekly counts of hens per hen house.

6 3. The information obtained by plaintiffs through their inspection of the interiors
7 of defendant's hen houses shall be used solely in the litigation of this matter.

8 DATED: August 12, 2009.

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12 U.S. MAGISTRATE JUDGE