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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES ROBERT GORTON,
Plaintiff,

NO. CIV. S-08-3069 LKK/AC P

v.

HAWKINS, et al.,
Defendants.

O R D E R

_____/

The court is in receipt of the parties' filings in response to this court's tentative pre-trial conference order issued on November 29, 2012. See Pretrial Conference Order (Tentative), ECF No. 163; Defs' Objection, ECF No. 164; Pl's Ex. List, ECF No. 165; Defs' Objections, ECF No. 167; Defs' Objections, ECF No. 168; Pl's Objections, ECF No. 169.

Defendants' objection requesting a separate trial of punitive damages, ECF No. 164, is DENIED.

Plaintiff's corrections to the pretrial order, ECF No. 165, are APPROVED. The court will therefore attach Plaintiff's Exhibit List (Amended), ECF No. 165, Ex. A, to the final pretrial conference order.

1 Defendants' objections to the exhibits offered by Plaintiff,
2 ECF No. 167, are OVERRULED, without prejudice to renew at trial as
3 Plaintiff seeks to offer the exhibits into evidence.

4 Defendants' objection seeking qualified immunity from suit,
5 ECF No. 168, is OVERRULED. The court previously addressed
6 Defendants' arguments for qualified immunity when ruling on
7 Defendants' motion for summary judgment and found that Defendants
8 are not entitled to qualified immunity from suit. See Order, ECF
9 No. 153. Defendants will, therefore, stand trial.

10 Plaintiff's objection to Defendants' trial exhibit 5D, ECF No.
11 169, is OVERRULED, without prejudice to renew at trial as
12 Defendants seek to offer the exhibit into evidence.

13 IT IS SO ORDERED.

14 DATED: January 15, 2013.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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