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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

PATRIOT RAIL CORP.,  
Plaintiff,  
v.  
SIERRA RAILROAD COMPANY,  
Defendant.

No. 2:09-cv-00009-MCE-EFB  
ORDER

Plaintiff Patriot Rail Corp. ("Plaintiff") requests that the Court, on shortened time, hear and grant Plaintiff's Motion to Exclude Expert Evidence, or in the alternative, compel Defendant Sierra Railroad Company ("Defendant") to produce their expert disclosures and reports in compliance with the Pre-Trial Scheduling Order (ECF No. 104).

The Court previously extended the date to exchange expert reports from September 24, 2010 to October 21, 2010 (ECF No. 114), and sees no reason at this time to compel Defendant to produce such a report before the stated deadline.

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1           Accordingly, Plaintiff's Motion is DENIED. Defendant is  
2 required to deliver to Plaintiff any expert reports before the  
3 start of the Telephonic Settlement Conference scheduled on  
4 October 21, 2010.

5           IT IS SO ORDERED.

6           Dated: October 1, 2010



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9           MORRISON C. ENGLAND, JR.  
10           UNITED STATES DISTRICT JUDGE  
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