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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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JAMES T. CARDEN, JR., ROBERT  
L. FOX, LEON W. HEDRICK,  
ROBERT B. KLEE, GEORGE M.  
LEMBO, LOREN E. LOVELAND,  
TERRY D. MYERS, CHARLES R.  
SAMUELSON, MICHAEL B.  
SCHAEFER, ARTHUR J. SCHUBERT,  
THURLOW E. WILLIAMS, MICHELLE  
W. WOODS, RAYMOND E. YOUNG,  
WILLIAM H. ZIEGLER,

NO. CIV. 2:09-1799 WBS CMK

ORDER RE: SUPPLEMENTAL  
BRIEFING

Plaintiffs,

v.

CHENEGA SECURITY & PROTECTION  
SERVICES, LLC,

Defendant.

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On April 7, 2011, Magistrate Judge Kellison issued an  
order denying plaintiff Lembo's motion to waive his deemed  
admissions. (Docket No. 95.) Because any facts involving the  
deemed admissions have not yet been fully briefed on defendant's

1 motion for summary judgment,<sup>1</sup> the court will permit briefing from  
2 both parties addressing what effect the deemed admissions have on  
3 the motion for summary judgment. The parties should not take  
4 this opportunity to make new arguments or submit new evidence to  
5 the court, but should limit their briefs to the effect, if any,  
6 of the deemed admissions.


7 Plaintiff Lembo shall file a supplemental brief on or  
8 before April 19, 2011. Defendant shall file a supplemental brief  
9 on or before April 26, 2011.

10 The hearing on defendant's Motion for Summary Judgment  
11 or, in the Alternative, Partial Summary Judgment, is continued to  
12 May 9, 2011, at 2:00 p.m. in Courtroom No. 5. The hearing on  
13 plaintiff's Motion to Withdraw as Counsel for plaintiff George  
14 Lembo is continued to May 9, 2011, at 2:00 p.m. in Courtroom No.  
15 5. The deadline for taking expert witness depositions is  
16 extended to June 8, 2011.

17 Plaintiff's Ex Parte Application to Extend Dates  
18 (Docket No. 96) is DENIED.

19 IT IS SO ORDERED.

20 DATED: April 13, 2011

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23 WILLIAM B. SHUBB  
24 UNITED STATES DISTRICT JUDGE

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28 <sup>1</sup> The deemed admissions were first submitted as an  
exhibit to defendant's reply brief.