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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER LINDSAY,

Plaintiff,

v.

YOLANDA FRYSON, et al.,

Defendants.

No. CIV. S-10-2842 LKK/KJN

ORDER

The Ninth Circuit has dismissed plaintiff's appeal of this court's dismissal of Yuba County as a defendant (ECF No. 85), allowing the remainder of the case to proceed.

As previously noted, Fryson, the sole remaining defendant, has answered the Third Amendment Complaint. See ECF No. 56 (Answer dated November 20, 2012). It appears from Fryson's most recent filing that she is incarcerated in the California state prison system, and is not represented by counsel. See ECF No. 74 (Notice of Change of Address dated October 29, 2013).

Pursuant to the Status (Pretrial Scheduling) Order ("PTO"), discovery and motion practice in this case is ended. See ECF No. 50 (Order dated October 29, 2012). Accordingly, the dates

1 previously vacated in this case are hereby re-scheduled as set
2 forth below.

3 a. Final Pretrial Conference: September 15, 2014 at 2:30
4 p.m., in Chambers. The parties shall comply with Local Rules 281
5 and 282, and the Status (Pretrial Scheduling) Order (ECF No. 50),
6 in preparing for this conference, and in submitting their Final
7 Pretrial Conference statements, and their witness and exhibit
8 lists.

9 However, if the parties' Final Pretrial Conference
10 statements reflect that one or both parties are not represented
11 by counsel, the Final Pretrial Conference will be vacated, and
12 the Final Pretrial Order will be based upon the papers.

13 b. A court trial before the undersigned shall commence on
14 December 9, 2014 at 10:30 a.m., in Courtroom No. 4. Neither
15 party having demanded a jury trial, and the time for doing so
16 having passed, see Fed. R. Civ. P. 38(b)(1), the matter will be
17 tried to the court without a jury.

18 IT IS SO ORDERED.

19 DATED: February 25, 2014.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT