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8 IN THE UNITED STATES DISTRICT COURT  
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 10 SACRAMENTO DIVISION

<p>12 <b>JON CHRIST,</b>          13          Plaintiff,          14          v.          15  <b>S. McCRAW, et al.,</b>          16          Defendants.</p>	<p>11-CV-01156 GEB JFM (PC)  <b>STIPULATION TO STAY BRIEFING          ON PLAINTIFF’S MOTION FOR AN          ORDER PERMITTING HIM TO          CORRESPOND WITH THIRD-PARTY          WITNESSES; ORDER</b>          Judge Hon. Garland E. Burrell, Jr.          Trial Date TBD          Action Filed: 11/2/2010</p>
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19 Plaintiff John Christ, and Defendant McCraw through his counsel of record, jointly request  
 20 that the Court enter an order staying further briefing on Plaintiff’s motion for an order permitting  
 21 him to correspond with third-party witnesses (Docket No. 12) for the following reasons:

22 1. On May 18, 2011, Magistrate Judge John F. Moulds issued an order instructing  
 23 Defendant to file and serve a response to the complaint, and also file and serve a response to  
 24 Plaintiff’s motion for an order permitting him to correspond with inmate witnesses by June 7,  
 25 2011. (Docket No. 22.)

26 2. In response to that order, counsel for Defendant has been in contact with prison  
 27 officials California State Prison, King-Avenal (Avenal), where Plaintiff is currently confined, and  
 28 California State Prison, Solano (Solano), where the third-party witnesses are confined, to discuss

1 the matter of Plaintiff's request to correspond with other inmates. Plaintiff and Defendant's  
2 counsel also met and conferred about the matter over the telephone on the morning of June 7,  
3 2011.

4 3. The parties are informed and believe that Plaintiff's request for permission to  
5 correspond with inmates at Solano has been approved by prison officials at Avenal, and is  
6 awaiting consideration and approval by officials at Solano. The parties have a good-faith belief  
7 that Solano will also approve the request, but the timeline for that approval is uncertain.

8 4. In order to preserve Court resources, the parties request that the briefing schedule for  
9 Defendant's opposition and Plaintiff's reply set out in the May 18, 2011 order (Docket No. 22) be  
10 stayed until such time as Solano issues a response to Plaintiff's request to correspond with  
11 inmates at that institution.

12 5. In the event that Solano approves Plaintiff's request, he will, within 14 days of  
13 receiving that approval, file a notice of withdrawal of his motion for a court order permitting him  
14 to correspond with the inmates at Solano.

15 6. On the other hand, if Solano denies Plaintiff's request, within 14 days of receiving  
16 notice of that denial from Plaintiff, Defendant file his opposition to Plaintiff's motion for an order  
17 permitting him to correspond with third-party witnesses.

18 IT IS SO AGREED.

19 DATED: June 7, 2011

/s/ Julianne Mossler  
JULIANNE MOSSLER  
Deputy Attorney General  
Attorney for Defendant McCraw

22 DATED: June 7, 2011

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JOHN CHRIST  
Plaintiff in pro se

24 IT IS SO ORDERED.

25 DATED: June 10, 2011

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UNITED STATES MAGISTRATE JUDGE