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7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA
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10 PAULA BACA, an individual,

11 Plaintiff,

NO. CIV. S-12-2055 LKK/GGH

12 v.

13 COUNTY OF SISKIYOU, a political
14 subdivision of the State of
15 California, SISKIYOU COUNTY
16 BOARD OF SUPERVISORS and
17 THOMAS GUARINO, ANN WAITE,
18 ROSE ANN HERRICK, DAVID
19 PRENTICE, as individuals,
20 and Does 1-10,

O R D E R

21 Defendants.
22 _____/

23 Pending before the court is Defendant Guarino's motion to
24 disqualify the counsel for Defendants County of Siskiyou, Siskiyou
25 County Board of Supervisors, Ann Waite, Rose Ann Herrick, and David
26 Prentice (collectively, "County Defendants"). Def's Mot., ECF No.
27 24.

28 Having found that a sufficient possibility exists that a
29 conflict of interest will arise in Cota Cole, LLP's representation
30 of the County Defendants in this case, given Defendant Prentice's

1 prior independent conversations regarding the matter at hand with
2 Defendant Guarino, Cota Cole, LLP may not continue to represent the
3 County Defendants in this matter. Guarino's motion to disqualify
4 counsel is, therefore, GRANTED.

5 The two separate motions to dismiss portions of Plaintiff's
6 complaint, ECF Nos. 11, 23, brought by County Defendants, and
7 Defendant Guarino, respectively, are STAYED, pending the County
8 Defendants' substitution of counsel.


9 The County Defendants are given no more than thirty (30) days
10 from the issuance of this order to find new counsel. The new
11 counsel is given fifteen (15) days thereafter to either re-notice
12 or withdraw the pending motion to dismiss.

13 Defendant Guarino's motion to dismiss will be set for hearing
14 the same day as any motion to dismiss re-noticed by County
15 Defendants.

16 The scheduling conference in this matter, currently set for
17 February 4, 2013, at 3:30 PM, is CONTINUED to May 13, 2013, at
18 10:00 A.M. before Judge Lawrence K. Karlton. The parties SHALL
19 file updated status reports no later than 14 days prior to the
20 status conference.

21 IT IS SO ORDERED.

22 DATED: January 29, 2013.

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24 
25 LAWRENCE K. KARLTON
26 SENIOR JUDGE
UNITED STATES DISTRICT COURT