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IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

CARLOS CASTRO,

Plaintiff,

No. C 98-04877 WHA

v.

CAL TERHUNE, Director, CALIFORNIA
 DEPARTMENT OF CORRECTIONS, G. BONNIE
 GARIBAY, J. BATCHELOR, S. C. WOLHWEND,
 A. SCRIBNER, J. STOKES, M. YARBOROUGH,
 L. HOOD, C. CAMPBELL, A. M. GONZALEZ,
 M. AYALA, E. DERUSHA, c/o ROBERT L. L.
 AYERS, Warden, and J. MARTINEZ,

**ORDER REGARDING
 NOTICE OF BIAS**

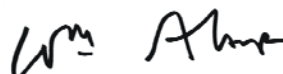
Defendants.

Defendants have filed a notice of bias pursuant to Civil Local Rule 11-4(b). They concurrently filed a declaration and recording of a voicemail message that is at the heart of their notice. On Friday, October 8, at 6:07 p.m., Attorney Erich Lichtblau — one of plaintiff's counsel — allegedly left a message for Attorney Ken Roost — one of defendants' counsel — at his office that said the following: "Ken, you and your buddies are pieces of shit. Just thought I'd let you know. Have a good weekend."

Plaintiff's counsel are ordered to file a response to this notice by **TUESDAY, OCTOBER 19, 2010, AT NOON.**

IT IS SO ORDERED.

Dated: October 18, 2010.



WILLIAM ALSUP
 UNITED STATES DISTRICT JUDGE