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

DALE STEIN,
Plaintiff,
v.
G. WOODS; DR. ARTHUR F. MAJOR; DR.
R. NORTON; STANLAKE K. YE; G. ELLIS;
N. WARREN,
Defendants.

No. C 11-1243 JSW (PR)
**ORDER PROVIDING PLAINTIFF
NOTICE AND WARNING;
SCHEDULING SUPPLEMENTAL
BRIEFING**

Plaintiff, a California prisoner, filed this pro se civil rights action under 42 U.S.C. § 1983. Defendants have filed a motion for summary judgment, which Plaintiff has opposed. Pursuant to *Woods v. Carey*, No. 09-15548, slip op. 7871, 7884-85 (9th Cir. July 6, 2012), the following notices and warnings are provided to Plaintiff a second time.

Plaintiff must read the following “NOTICE -- WARNING (SUMMARY JUDGMENT),” which is provided to him pursuant to *Rand v. Rowland*, 154 F.3d 952, 953-954 (9th Cir. 1998) (en banc), and *Klingele v. Eikenberry*, 849 F.2d 409, 411-12 (9th Cir. 1988). To the extent defendants argue that Plaintiff failed to exhaust his administrative remedies as required by 42 U.S.C. § 1997e(a), plaintiff should also read the “NOTICE -- WARNING (EXHAUSTION)” which is provided to him pursuant to *Wyatt v. Terhune*, 315 F.3d 1108, 1120 n. 4 (9th Cir. 2003):

1 Plaintiff may file a supplemental opposition to Defendants' motion for summary
2 judgment on or before **August 1, 2012**. Defendants **shall** file a supplemental reply brief
3 within **7 days** of the date any supplemental opposition is filed. If Plaintiff does not
4 supplement his opposition, Defendants' motion will be decided on the papers that have
5 already been filed.

6 IT IS SO ORDERED.

7 DATED: July 11, 2012

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JEFFREY S. WHITE
United States District Judge

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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 DALE RICHARD STEIN,
6 Plaintiff,

Case Number: CV11-01243 JSW

7 **CERTIFICATE OF SERVICE**

8 v.

9 G WOODS et al,
10 Defendant.

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
12 Court, Northern District of California.

13 That on July 11, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
16 receptacle located in the Clerk's office.

17 Dale R. Stein
18 S.V.S.P.
19 P.O. Box 1050
20 J82424
21 Soledad, CA 93960

22 Dated: July 11, 2012

23 
24 Richard W. Wieking, Clerk
25 By: Jennifer Ottolini, Deputy Clerk
26
27
28