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28IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TODD A. ASHKER,
Plaintiff,
v.
MICHAEL C. SAYRE, et al.,
Defendants.

No. C 05-3759 CW
ORDER FOR
PLAINTIFF TO FILE
OPPOSITION TO
DEFENDANTS'
REQUEST FOR
JUDICIAL NOTICE

This case is scheduled to go to trial on May 11, 2009. Plaintiff is an inmate at Pelican Bay State Prison (PBSP). On April 10, 2009, Defendants filed a request for the Court to take judicial notice of two documents regarding Plaintiff's witness Dr. Everett D. Allen. These documents are (1) a March 13, 2009 Decision after Non-Adoption by Dr. Shelton Duruisseau following hearing by Administrative Law Judge Ruth S. Astle and (2) a March 23, 2009 certificate of disciplinary action taken by the Medical Board of California's discipline Coordination Unit against Dr. Allen.

To date, Plaintiff has not filed an opposition to Defendants' request. If Plaintiff opposes this request, he is to file an opposition within five days from the date of this order. If he does not file an opposition within this time, the request for

1 judicial notice may be granted.

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3 IT IS SO ORDERED

4 4/29/09

5 Dated _____

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CLAUDIA WILKEN
United States District Judge

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

4 ASHKER,

5 Plaintiff,

Case Number: CV05-03759 CW

6 v.

CERTIFICATE OF SERVICE

7 ALAMEIDA ET AL et al,

8 Defendant.

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

11 That on April 29, 2009, I SERVED a true and correct copy(ies) of the Order Denying Defendants
12 Motion for Pretrial Conference and Responding to Questions (Doc. # 351), by placing said copy(ies)
13 in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in
14 the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's
15 office.

15 Todd A. Ashker C58191
16 Pelican Bay State Prison
17 Box 7500
18 D1-119
19 Crescent City, CA 95532

20 Dated: April 29, 2009

21 Richard W. Wieking, Clerk
22 By: Sheilah Cahill, Deputy Clerk
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