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 CURTIS LEE HENDERSON, SR.
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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

CURTIS LEE HENDERSON, SR.,	
	Plaintiff,
v.	
J. PETERSEN, et al.,	
	Defendants.

Case No. C07-2838-SBA
**STIPULATION AND WRIT OF HABEAS
 CORPUS AD TESTIFICANDUM AND
 ORDER TO TRANSPORT INMATE
 CURTIS LEE HENDERSON (H-43488)**

Judge: Hon. Sandra B. Armstrong
 Date Comp. Filed: May 31, 2007
 Trial Date: July 18, 2011

STIPULATION

Whereas the Plaintiff in this action, Curtis Lee Henderson, CDCR No. H-43488, is confined at California State Prison, Corcoran in the custody of the Warden;

Whereas, in its February 2, 2011 Order for Pretrial Preparation, the Court set trial for five trial days beginning on July 18, 2011, at 8:30 a.m., at Courtroom 1 of the United States Courthouse, 1301 Clay Street, 4th Floor, Oakland, California, 94612 before Hon. Sandra Brown Armstrong;

Whereas, “[t]he Court’s trial hours are from 8:30 a.m. to 2:00 p.m., with two fifteen-minute breaks, on Monday, Wednesday, Thursday and Friday;”

Whereas, in the Order for Pretrial Preparation, the Court ordered that, “On the first day of trial all parties are required to have someone in Court with full Settlement Authority;”

Whereas Plaintiff is a necessary and material witness at the trial in this action;

Whereas, in order to secure Plaintiff’s attendance at trial, it is necessary that a Writ of Habeas Corpus Ad Testificandum issue commanding the custodian of Curtis Lee Henderson to produce said inmate to the trial;

Whereas counsel for Plaintiff and Defendants have met and conferred and agreed that Plaintiff shall be transferred approximately two weeks prior to trial to enable counsel for Plaintiff to avoid travel costs they would otherwise have to incur for pretrial preparation; and

Whereas, pursuant to General Order No. 45, § 10(B), Julianne Mossler, counsel for Defendants, has given Sharif E. Jacob, counsel for Plaintiff, permission to electronically sign this stipulation and proposed writ and order on her behalf;

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1 Therefore, pursuant to Local Rule 7-12, Plaintiff and Defendants, through counsel,
2 hereby submit this stipulated request for a Writ of Habeas Corpus Ad Testificandum and Order
3 to Transport Inmate Curtis Lee Henderson.

4 Dated: June 16, 2011

KEKER & VAN NEST LLP

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By: /s/ Sharif E. Jacob
SHARIF E. JACOB
Attorneys for Plaintiff
CURTIS LEE HENDERSON, SR.

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9 Dated: June 16, 2011

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By: /s/ Julianne Mossler
JULIANNE MOSSLER
Deputy Attorney General
Attorneys for Defendants

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ORDER

ACCORDINGLY, IT IS ORDERED that:

A Writ of Habeas Corpus Ad Testificandum issue, under the seal of this court, commanding the Warden of California State Prison, Corcoran to produce Curtis Lee Henderson, Sr., CDCR No. H-43488,

(1) to San Quentin State Prison not later than July 6, 2011, and from day to day until completion of the trial or as ordered by the Court; and

(2) to Courtroom 1 of the United States Courthouse, 1301 Clay Street, 4th Floor, Oakland, California, 94612, at 8:30 a.m. on July 18, 2011 and on each trial day thereafter until completion of the trial or as ordered by the Court.

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

TO THE WARDEN OF CALIFORNIA STATE PRISON, CORCORAN:


YOU ARE ORDERED to produce Curtis Lee Henderson, Sr., CDCR No. H-43488,

(1) to San Quentin State Prison not later than July 6, 2011, and from day to day until completion of the trial or as ordered by the Court; and

(2) to Courtroom 1 of the United States Courthouse, 1301 Clay Street, 4th Floor, Oakland, California, 94612, at 8:30 a.m. on July 18, 2011 and on each trial day thereafter until completion of the trial or as ordered by the Court.

IT IS SO ORDERED.

DATED: 6/21/11



HON. SAUNDRA B. ARMSTRONG
JUDGE OF THE UNITED STATES
DISTRICT COURT, NORTHERN
DISTRICT OF CALIFORNIA