

United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Defendant has filed objections to Plaintiff's proposed exhibits and one demonstrative for July 29, 2013. ECF No. 234. Plaintiff has filed responses to Defendant's objections. ECF No. 231. Based on the parties' submissions, the Court's review of the disputed exhibits and demonstrative, the record in this case, and pursuant to Fed. R. Evid. 403 balancing, the Court rules as follows on Defendant's objections:

Plaintiff's Exhibits

Exh. 1 (Plaintiff's Special Religious Diet Chrono/Cards from Pelican Bay State Prison)–DENIED.

Exh. 2 (Plaintiff's Special Religious Diet Chrono/Cards from Kern Valley State Prison)—DENIED.

Exh. 7 (Inmate Appeals Re: Water Leak)–DENIED.

Exh. 26 (Photographs of Cell 122 bates numbered AGO-432 through AGO-438)—DENIED.

Exh. 88 (Inmate Appel Re: Water Leak)-DENIED.

Ex. 135 (Salinas Valley State Prison Inmate Orientation Booklet August, 2005)—DENIED

Exh. 136 (Receipt)—This exhibit is not in the Joint Trial Exhibits delivered to the Court this morning. Moreover, the Parties' Exhibit List with Objections states that Plaintiff has withdrawn this exhibit. Plaintiff also does not respond to Defendant's objection.--DENIED as MOOT.

Exh. 137 (Receipt)—This exhibit is not in the Joint Trial Exhibits delivered to the Court this

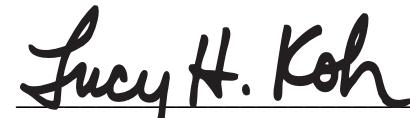
1 morning. Moreover, the Parties' Exhibit List with Objections states that Plaintiff has withdrawn
this exhibit. Plaintiff also does not respond to Defendant's objection.--DENIED as MOOT.

2 Plaintiff's Demonstratives

3 Demonstrative 1A (June 10, 2008-August 4, 2008 Timeline, ECF No. 231-5)--DENIED.

4 **IT IS SO ORDERED.**

5 Dated: July 26, 2013


6 LUCY H. KOH
7 United States District Judge