

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 GEORGE-JASON A. HELM,

7 Plaintiff,

8 v.

9 MICHAEL HUGHES, JANET GAINES,  
10 and SEAN MURPHY,

11 Defendants.

NO. C09-5381 RJB/KLS

ORDER DIRECTING  
SUPPLEMENTAL BRIEFING

12 Presently before the court is the Motion for Summary Judgment of Defendants  
13 Michael Hughes, Karen Gaines, and Sean Murphy. ECF No. 30. Having reviewed the  
14 motion, Plaintiff's response (ECF No. 33), Defendants' reply (ECF No. 32), and Plaintiff's  
15 second response (ECF No. 33), the court finds that requires additional briefing from the  
16 parties before a recommendation on the summary judgment may be made.

17 Defendants are directed to supplement their motion to address the issue of what  
18 legitimate penological interests are furthered by a regulation prohibiting threats in a written  
19 grievance. Plaintiff shall be given an opportunity to respond.

20 Accordingly, it is **ORDERED:**

21 (1) Defendants shall file their supplemental brief and/or evidence in support of  
22 their motion for summary judgment (ECF No. 30) to address only the issue identified herein  
23 **on or before November 22, 2010.** Plaintiff may file a response **on or before December 13,**  
24 **2010.** Defendants may file a reply **on or before December 17, 2010.**

25 (2) The Clerk shall **strike** the noting date of Defendants' motion for summary  
26 judgment (ECF No. 30) and shall **re-note** the motion for **December 17, 2010.**

