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2 IN THE UNITED STATES DISTRICT COURTS
3 FOR THE EASTERN DISTRICT OF CALIFORNIA
4 AND THE NORTHERN DISTRICT OF CALIFORNIA
5 UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES
6 PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE
7

8 RALPH COLEMAN, et al.,
9 Plaintiffs,
10 v.
11 ARNOLD SCHWARZENEGGER,
12 et al.,
13 Defendants.

NO. CIV S-90-0520 LKK JFM P
THREE-JUDGE COURT

14 MARCIANO PLATA, et al.,
15 Plaintiffs,
16 v.
17 ARNOLD SCHWARZENEGGER,
18 et al.,
19 Defendants.

NO. C01-1351 TEH
THREE-JUDGE COURT
ORDER SETTING BRIEFING
SCHEDULE ON DEFENDANT-
INTERVENORS' AUGUST 14,
2008 MOTION FOR
CLARIFICATION

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21 The Court has reviewed Defendant-Intervenors' August 14, 2008 motion for
22 clarification regarding whether non-retained hybrid witnesses, who will testify as both
23 percipient and expert witnesses at trial, must disclose expert reports. Given the trial schedule
24 in this case, the Court HEREBY ORDERS the following expedited briefing schedule on
25 Defendant-Intervenors' motion:

- 26 1. Any opposition shall be filed on or before **August 25, 2008**.
27 2. The reply shall be filed on or before **September 2, 2008**, at 12:00 noon.
28 3. No oral argument will be heard unless otherwise ordered by the Court.

1 4. If the Court ultimately rules against Defendant-Intervenors, it will extend any
2 necessary pretrial deadlines to allow for the preparation and disclosure of expert reports by
3 hybrid witnesses.


4 5. Any depositions of the witnesses at issue that have already been scheduled shall
5 proceed as scheduled. If necessary following the resolution of Defendant-Intervenors'
6 motion, the Court may allow a brief period for conducting supplemental depositions of any
7 hybrid witnesses who have already been deposed.

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9 **IT IS SO ORDERED.**


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11 Dated: 08/19/08

/s/
STEPHEN REINHARDT
UNITED STATES CIRCUIT JUDGE
NINTH CIRCUIT COURT OF APPEALS

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15 Dated: 08/19/08


LAWRENCE K. KARLTON
SENIOR UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF CALIFORNIA

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19 Dated: 08/19/08


THELTON E. HENDERSON
SENIOR UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA