

FOR THE EASTERN DISTRICT OF CALIFORNIA

RYAN DOZIER,

CASE NO. 2:08-cv-2298 FCD JFM

Plaintiff,

MINUTE ORDER

vs.

SUSAN HOULE, et. al.,

Defendants.

At a session of the United States District Court for the Eastern District of California, in the City of Sacramento, on November 10, 2008.

PRESENT, THE HONORABLE FRANK C. DAMRELL, JR., JUDGE:

In light of defendants' representation in their Opposition, filed October 31, 2008 (Docket #25), that the subject policies and procedures at issue in this action will be amended and superseded on or before November 14, 2008, the court HEREBY CONTINUES plaintiff's motion for preliminary injunction, set for hearing that day, to Friday, December 12, 2008, the court's next available law and motion date. Pending that hearing, the court directs that defendants shall not enforce the current, challenged policies and procedures against plaintiff.

Defendants are ordered to file and serve a declaration, attesting to the repeal and amendment of the current policies and procedures on or before November 19, 2008; defendants shall provide with this declaration a copy of the newly adopted policies and procedures applicable to this case.

Plaintiff shall have until November 26, 2008 to file and serve a supplemental memorandum of points and authorities in support of his motion for preliminary injunction which considers defendants' newly adopted policies and procedures. Defendants shall have until December 3, 2008 to file and serve a supplemental opposition in response thereto. Plaintiff may file a supplemental reply on or before December 8, 2008. The court shall hold, if necessary, a hearing on the preliminary injunction motion on December 12, 2008 at 10:00 a.m. in Courtroom 2.

I hereby certify that the foregoing is a true and correct statement of an order in the above captioned case this 10th day of November 2008.

VICTORIA C. MINOR, CLERK

By: /s/ Michele Krueger
Michele Krueger, Courtroom Deputy