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14 Attorneys for Defendants

FILED
CLERK, U.S. DISTRICT COURT
FILED
OCT 18 2005
CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

SCANNED

- Priority
- Send
- Clsd
- Enter
- JS-5/JS-6
- JS-2/JS-3

15 UNITED STATES DISTRICT COURT
16 CENTRAL DISTRICT OF CALIFORNIA

17 DENNIS RUTHERFORD, et al.,

18 Plaintiffs,

19 vs.

20 SHERMAN BLOCK, et al.,

21 Defendants.

22 Case No. CV 75-04111 DDP

23 Honorable Dean D. Pregerson

24 **[PROPOSED] ORDER GRANTING**
25 **DEFENDANTS' EX PARTE**
26 **APPLICATION FOR AN ORDER**
27 **CONTINUING THE HEARING ON**
28 **PROPOSED INTERVENORS'**
MOTION FOR PERMISSIVE
INTERVENTION AND TO
DISSOLVE INJUNCTION, AND
EXTENDING THE DEADLINE
FOR DEFENDANTS TO FILE AN
OPPOSITION THERTO

IMMEDIATE RELIEF
REQUESTED

[Defendants' Ex Parte Application
filed concurrently herewith]

29 After consideration of the *Ex Parte* Application of Defendants for an order
30 continuing or taking off calendar the hearing on Proposed Intervenors' Motion for

DOCKETED ON CA
OCT 18 2005
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1 Order of Permissive Intervention and to dissolve any prison conditions injunction
2 that may exist, and extending the deadline for Defendants to file an Opposition
3 thereto, and any opposition papers,

4 On proof made to the satisfaction of the Court, and it appearing that there is
5 good cause therefor, IT IS HEREBY ORDERED THAT:

6 1. Defendants' Application be, and hereby is, GRANTED;
7
8 2. The hearing on Proposed Intervenors' Motion for Order of Permissive
9 Intervention and To Dissolve Injunction is hereby continued to 10:00 a.m./p.m.
10 on Monday, Nov. 14, 2005;

11 3. The deadline for Defendants to file an Opposition to the Motion is
12 Oct. 31²⁰⁰⁵ (Monday); and

13 4. The deadline for Proposed Intervenors to file any Reply papers is
14 Nov. 7²⁰⁰⁵ (Monday).

15
16 Dated: 10-17-05

Dean D. Peregerson
17 Honorable Dean D. Peregerson
18 United States District Court
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PROOF OF PERSONAL SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the aforesaid County, State of California; I am over the age of 18 years and not a party to the within action; my business address is 1ST Class Messenger, 6004 San Fernando Road, Glendale, CA 91202.


On October 13, 2005, I personally delivered by hand the foregoing **[PROPOSED] ORDER GRANTING DEFENDANTS' EX PARTE APPLICATION FOR AN ORDER CONTINUING THE HEARING ON PROPOSED INTERVENORS' MOTION FOR PERMISSIVE INTERVENTION AND TO DISSOLVE INJUNCTION, AND EXTENDING THE DEADLINE FOR DEFENDANTS TO FILE AN OPPOSITION THERETO** to:

Stephen Yagman
Yagman & Yagman & Reichmann
723 Ocean Front Walk
Venice Beach, CA 90291-3270

I declare under penalty of perjury that the foregoing is true and correct

Executed on October 13, 2005, at Glendale, California.

ERIL HANBYAN
Print Name


Signature

SCANNED

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, Pam Gonzalez, am employed in the aforesaid County, State of California; I am over the age of 18 years and not a party to the within action; my business address is 100 West Broadway, Suite 100, Glendale, CA 91210.

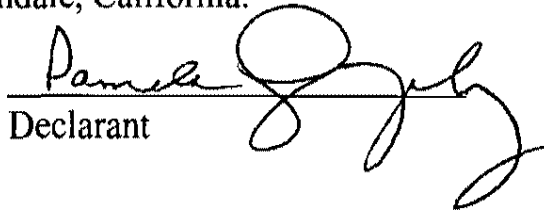
On October 13, 2005, I served the foregoing **[PROPOSED] ORDER GRANTING DEFENDANTS' EX PARTE APPLICATION FOR AN ORDER CONTINUING THE HEARING ON PROPOSED INTERVENORS' MOTION FOR PERMISSIVE INTERVENTION AND TO DISSOLVE INJUNCTION, AND EXTENDING THE DEADLINE FOR DEFENDANTS TO FILE AN OPPOSITION THERETO** on the interested parties in this action by placing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

| | |
|--|--|
| Stephen Yagman Yagman & Yagman & Reichmann 723 Ocean Front Walk Venice Beach, CA 90291-3270 | Mark Rosenbaum Claire Pastore ACLU Foundation of Southern California 1616 Beverly Blvd. Los Angeles, CA 90026 |
|--|--|

BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Glendale, California, in the ordinary course of business. I am aware that on motion of the party service, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 13, 2005, at Glendale, California.


Declarant