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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARCIANO PLATA, et al.,
Plaintiffs,
v.
ARNOLD SCHWARZENEGGER,
et al.,
Defendants.

NO. C01-1351 TEH

ORDER GRANTING IN PART
APPLICATION TO SHORTEN
TIME ON DEFENDANTS'
MOTION TO STAY

On October 27, 2008, this Court entered an order requiring Defendants to transfer \$250 million to the Receiver by November 5, 2008. Defendants filed a motion for stay of that order at approximately 3:30 PM on Friday, October 31, 2008, and asked that the Court shorten time on the motion and set the matter for hearing today at 10:00 AM. The Receiver filed an opposition to Defendants' application to shorten time earlier this morning.

Having carefully considered all of the relevant papers and arguments, the Court concludes that it would be appropriate to shorten time on Defendants' motion to stay but that the Receiver is entitled to more than three business hours to prepare for a hearing on Defendants' motion. Accordingly, IT IS HEREBY ORDERED that:

1. The Receiver shall have until **November 5, 2008, at 5:00 PM**, to file an opposition to Defendants' motion to stay.
2. Oral argument will be heard on **November 7, 2008, at 10:00 AM**.
3. The Court's October 27, 2008 order is modified so that Defendants shall have until November 7, 2008 to comply. Defendants shall be prepared to transfer \$250 million to the Receiver on that date unless the Court grants Defendants' motion to stay. If Defendants fail

1 to transfer the required funds and the Court does not grant Defendants' motion to stay, then
2 the show cause hearing shall continue to proceed on **November 12, 2008, at 9:00 AM.**

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IT IS SO ORDERED.

Dated: 11/03/08



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT