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9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

11 RICHARD ENOS, JEFF BASTASINI,  
12 LOUIE MERCADO, WALTER GROVES,  
13 MANUEL MONTEIRO, EDWARD  
ERIKSON, and VERNON NEWMAN,

14 Plaintiffs,

15 vs.

16 ERIC HOLDER, as United States Attorney  
17 General, ROBERT MUELLER, III, as  
18 Director of the Federal Bureau of  
Investigation, and UNITED STATES OF  
19 AMERICA,

20 Defendants.  
21

CASE NO.: 2:10-CV-02911-JAM-EFB

**PLAINTIFFS' CONTINUING  
OBJECTION TO DEFENDANTS'  
REQUEST FOR JUDICIAL NOTICE**

Date (Held): January 25, 2012

Time: 1:30 p.m.

Place: Courtroom 6, 14<sup>th</sup> Floor

Judge: Hon. John A. Mendez

22 On or about January 18, 2012, the Plaintiffs filed Objections to material  
23 submitted by the Defendants in support of their opposition to Plaintiffs' Motion for  
24 Summary Judgment. (Dkt # 52) During argument on the Defendants Motion to  
25 Dismiss, the Court invited the Defendants to clarify their submissions.

26 On or about February 1, 2012, the Defendants filed a Request for Judicial  
27 Notice and Response to Plaintiffs' Objections. (Dkt # 59) Although the Court did not  
28 invite further briefing on these evidentiary issues and their impact on any Rule 56

1 ruling the court may make, the Plaintiffs hereby file this continuing objection lest  
2 their silence be construed as a waiver.

3 Furthermore, if the Court so directs, the Plaintiffs are willing and prepared  
4 to submit additional briefing limited to solely to these evidentiary issues and their  
5 impact on any pending Rule 56 adjudication the Court may be considering.

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7 Respectfully Submitted on February 17, 2012,

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/s/

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