

The Court hopes that counsel can understand its predicament. The Court has set aside a week on its calendar to resolve this issue. The Court intends to conduct the evidentiary hearing as it would a jury trial, clearing its calendar and devoting its daily calendar to this hearing until it is completed. The Court has already made dozens of scheduling decisions in other cases, many involving parties who wanted to schedule trials or other hearings as soon as possible, based on the assumption that the week of February 16, 2010, was unavailable for scheduling purposes. Unless and until the Court is advised unequivocally that this hearing is unnecessary, it will assume that it is going as scheduled. It is much easier to cancel a hearing at the last moment than to try to reschedule it. However, the Court hopes that the parties will have enough respect for the Court's scheduling concerns that if this hearing is going to be vacated upon mutual consent the Court will be so advised as soon as possible.

IT IS ORDERED affirming the Evidentiary Hearing date of February 17, 2010, on the Defendant's Motion to Suppress Evidence Obtained in Unlawful Searches of FLDS Property.

cc:

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