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IN THE UNITED STATES DISTRICT COURTS
FOR THE EASTERN DISTRICT OF CALIFORNIA
AND THE NORTHERN DISTRICT OF CALIFORNIA
UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES
PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

<p>RALPH COLEMAN, et al., Plaintiffs, v. ARNOLD SCHWARZENEGGER, et al., Defendants.</p>	<p>NO. CIV S-90-0520 LKK JFM P <u>THREE-JUDGE COURT</u></p>
<p>MARCIANO PLATA, et al., Plaintiffs, v. ARNOLD SCHWARZENEGGER, et al., Defendants.</p>	<p>NO. C01-1351 TEH <u>THREE-JUDGE COURT</u> <u>ORDER REQUIRING FURTHER BRIEFING</u></p>

On or before February 18, 2009, the parties and intervenors shall file briefs, not exceeding fifteen pages, on the following questions:

1. Does the Court have the authority to order the expenditure of funds for purposes of implementing any prisoner release order that it may issue?
2. Does the Court have the authority to order the State to divert funds from the prison budget to community programming or other local programs designed to facilitate the re-entry into society of prisoners released pursuant to the entry of a prisoner release order?

1 3. Would the answer to either of the above questions be different if the funds at issue
2 consisted of savings to the State resulting from the issuance of a prisoner release order?


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IT IS SO ORDERED.

Dated: 02/04/09


/s/
STEPHEN REINHARDT
UNITED STATES CIRCUIT JUDGE
NINTH CIRCUIT COURT OF APPEALS

Dated: 02/04/09



LAWRENCE K. KARLTON
SENIOR UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF CALIFORNIA

Dated: 02/04/09



THELTON E. HENDERSON
SENIOR UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA