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

RALPH COLEMAN, et al.,

Plaintiffs,

No. CIV S-90-0520 LKK JFM P

vs.

ARNOLD SCHWARZENEGGER,
et al.,

Defendants.

ORDER

_____ /
Plaintiffs have filed a motion for an evidentiary hearing regarding the status of defendants' planned renovation of the C5 and C6 units at Salinas Valley State Prison to provide 116 beds for high-custody inmates in need of inpatient mental health care. Plaintiffs represent that defendants have stipulated to shorten time for briefing on the motion but not to the requested evidentiary hearing. On September 10, 2010, defendants filed an opposition to that part of plaintiffs' motion that seeks an evidentiary hearing to be set for September 20, 2010. Therein, defendants advise the court of schedule conflicts that would, in their view, render unproductive an evidentiary hearing on September 20, 2010. Without waiving opposition to the request for an evidentiary hearing, defendants request that a hearing, if set, be set no earlier than mid-October 2010.

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1 After review of the papers filed by the parties, pursuant to their stipulation and
2 good cause appearing, IT IS HEREBY ORDERED that:


3 1. Defendants' opposition to plaintiffs' September 3, 2010 motion shall be filed
4 and served on or before September 16, 2010;

5 2. Plaintiffs' reply, if any, shall be filed and served on or before September 17,
6 2010;

7 3. In the event that the court determines that oral argument is required on
8 plaintiffs' motion, the court will set the matter for such argument by subsequent order. Absent
9 such a determination, plaintiffs' motion for evidentiary hearing will stand submitted at the close
10 of briefing; and

11 4. The court will not set this matter for evidentiary hearing on September 20,
12 2010.

13 DATED: September 13, 2010.

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16 LAWRENCE K. KARLTON
17 SENIOR JUDGE
18 UNITED STATES DISTRICT COURT
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