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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RALPH COLEMAN,  
Plaintiff,  
v.  
GAVIN NEWSOM, et al.,  
Defendants.

No. 2:90-cv-0520 KJM DB P

ORDER

As required by court order, on April 26, 2019 this matter came on for the first quarterly status conference of 2019. Michael Bien, Esq. and Lisa Ells, Esq. appeared as counsel for plaintiffs. Supervising Deputy Attorneys General Jay Russell and Adriano Hrvatin and Deputy Attorneys General Elise Thorn and Tyler Heath appeared as counsel for defendants. At hearing, the court made several oral orders, which are confirmed by this order.

1. The parties and Drs. Golding and Gonzalez are granted seven days from the date of this order to show cause in writing, if any they have, why the Neutral Expert Report submitted to the court on April 22, 2019 should not be filed on the public docket. The court acknowledges plaintiffs’ counsel position that the Neutral Expert Report should be filed now on the court’s public docket without redaction.

1                   2. The parties and Drs. Golding and Gonzalez are granted thirty days from the  
2 date of this order to file briefs responsive to the substance of the Neutral Expert Report. The  
3 parties may include in those briefs a separate section identifying issues, if any, raised by the  
4 Golding Report that were not referred to the Neutral Expert and may require further action by the  
5 parties, the Special Master, and/or the court.

6                   3. This matter is set for special status conference on June 10, 2019 at 1:30 p.m. in  
7 Courtroom # 3 for discussion of issues raised in the briefing required by paragraph 2 of this order.

8                   4. Fourth, within seven days from the date of this order the parties shall file a  
9 stipulation and proposed order setting forth a schedule for finalizing the proposed addendum  
10 covering exceptions to the twenty-four hour timeline for transfer to mental health crisis bed  
11 (MHCB) care. In no event shall the proposed addendum be filed later than August 30, 2019.

12                   5. In 2017, defendants informed the court of a plan to build 100 MHCBs within  
13 four years. *See* ECF No. 5689 at 4 (quoting ECF No. 5680-10, Tebrock Decl. ¶ 7.) Recently,  
14 defendants informed the Special Master they would be opening an “approved and budgeted crisis  
15 bed unit” at R. J. Donovan Correctional Facility in 2022. ECF No. 5993 at 47. It appears the  
16 target date for completion of the planned permanent 100 MHCBs has slipped by at least one year.  
17 At an earlier stage of the remedial phase of this litigation, the court required defendants to file  
18 detailed activation schedules for necessary mental health bed construction in aid of timely  
19 completion of the projects. *See* ECF No. 3556. Defendants’ response to that order included  
20 “exhibits that demonstrate the funding process for the court-ordered construction projects.” ECF  
21 No. 3591 at 2 (citing Exs. 15-17), 5-64 (exhibits). Using these exhibits as a point of reference,  
22 within thirty days from the date of this order defendants shall file a status report that identifies,  
23 with specificity, each stage of the funding process that must be completed for final approval of  
24 the required 100 MHCBs and where the project is in this process at the time the status report is  
25 filed. Thereafter, unless otherwise ordered by the court, defendants shall file the same  
26 information every thirty days until funding for the construction of the project is approved.

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1 Following notification that funding has been approved, the court anticipates issuing a separate  
2 order requiring submission of activation schedules for this project.

3 IT IS SO ORDERED.

4 DATED: April 26, 2019.

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8 UNITED STATES DISTRICT JUDGE  
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