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9 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT
 12 EASTERN DISTRICT OF CALIFORNIA

14 RALPH COLEMAN, et al.,
 15 Plaintiffs,
 16 v.
 17 GAVIN NEWSOM, et al.,
 18 Defendants.

Case No. 2:90-CV-00520-KJM-DB

**STIPULATION AND ORDER
 MODIFYING BRIEFING SCHEDULE
 RE MHC B CONSTRUCTION**

Judge: Hon. Kimberly J. Mueller

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1 On October 8, 2019, the Court ordered the parties to file briefing regarding
2 questions raised by Plaintiffs at the September 13, 2019 hearing regarding MHCB
3 construction, access, capacity, and transfer compliance, and regarding whether an unmet
4 bed need study for the MHCB level of care should be conducted. *See* ECF No. 6312. The
5 briefing schedule set by the October 8, 2019 Order requires opening briefs to be filed on
6 November 29, 2019, which is an office holiday for both Plaintiffs’ counsel and
7 Defendants’ counsel. Moreover, the due date for responsive briefs is December 6, 2019,
8 the same date as the oral argument in the Ninth Circuit for Defendants’ appeal of the
9 Court’s July 3, 2018 Order regarding telepsychiatry. *See* ECF No. 5850. Lisa Ells, who
10 will be arguing for Plaintiffs in that appeal, is also one of the attorneys who will be
11 primarily responsible for the responsive brief regarding MHCBs. The parties therefore
12 request an alternative briefing schedule to the one the Court set on October 8, 2019, with
13 opening briefs to be filed on November 27, 2019, and responsive briefs to be filed on
14 December 9, 2019.

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IT IS SO STIPULATED.

DATED: November 7, 2019

ROSEN BIEN GALVAN & GRUNFELD LLP

By: /s/ Jenny S. Yelin

Jenny S. Yelin

Attorneys for Plaintiffs

DATED: November 7, 2019

XAVIER BECERRA
Attorney General of California
ADRIANO HRVATIN
Supervising Deputy Attorney General

By: /s/ Elise Owens Thorn

Elise Owens Thorn
Deputy Attorney General

Attorneys for Defendants

ORDER

The modified briefing schedule proposed by the parties is adopted. Opening briefs are due November 27, 2019. Responsive briefs are due December 9, 2019.

IT IS SO ORDERED.

DATED: November 12, 2019.


UNITED STATES DISTRICT JUDGE