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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 RALPH COLEMAN, et al.,

12 Plaintiffs,

13 v.

14 GAVIN NEWSOM, et al.,

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

ORDER

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18 Plaintiffs have filed a motion for a 60-day continuance of the evidentiary hearing  
19 concerning class member access to Department of State Hospital (DSH) programs. ECF No.  
20 6797. The hearing was original set for April 21, 2020. ECF No. 6600. The parties have  
21 stipulated to continue the hearing three times; all three stipulations have been approved by the  
22 court. ECF Nos. 6622, 6676, 6734.<sup>1</sup> Defendants oppose the instant motion, contending there is  
23 no dispute defendants are complying with the terms of the court's April 24, 2020 order  
24 temporarily modifying Program Guide requirements for transfer of class members to DSH to  
25 include COVID-19 screening and otherwise requiring compliance with Program Guide  
26 requirements for such transfer. ECF No. 6639 at 11. Under all the circumstances, defendants


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28 <sup>1</sup> The court ordered one other continuance for a period of five days. *See* ECF No. 6730.

1 argue, it is a waste of time and resources to continue moving this hearing and they ask the court to  
2 vacate it.

3 After consideration of the arguments of counsel and good cause appearing, IT IS  
4 HEREBY ORDERED that:

- 5 1. Plaintiffs' motion to continue the evidentiary hearing regarding class member  
6 access to Department of State Hospital inpatient programs is GRANTED;
- 7 2. The evidentiary hearing is CONTINUED from August 7, 2020 at 10:00 a.m. to  
8 October 23, 2020 at 10:00 a.m.; and
- 9 3. On or before October 9, 2020, the parties shall file a joint statement setting  
10 forth their respective positions regarding whether the hearing should proceed.

11 DATED: August 3, 2020.

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14 CHIEF UNITED STATES DISTRICT JUDGE  
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