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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

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

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

ORDER

The parties have filed a stipulation and proposed order for approval of defendants’ plan regarding use of Therapeutic Treatment Modules (TTMs) to deliver mental health care to class members on Maximum custody (“Max custody) in Psychiatric Inpatient Programs (PIPs). ECF No. 7366. The stipulation represents an agreement of the parties reached during three days of settlement negotiations supervised by Magistrate Judge Kendall Newman. *Id.* at 1. The Special Master also was present for the settlement discussions. *Id.*

The parties are directed to show cause in writing why the court should not enter an order:  
(1) approving Section I of the stipulation, entitled Defendants’ Plan;  
(2) modifying Section II of the stipulation, entitled Enforcement, to set a deadline of one year from court approval of Defendants’ Plan for resolution of any and all issues “related to

1 enforcement or interpretation of the commitments” set out in the stipulation as approved by the  
2 court, and, so modified, approving Section II; and

3 (3) declining to approve Section III of the stipulation for one or more of the following  
4 reasons:

5 a. Section III covers an ongoing dispute concerning whether use of TTMs violates  
6 the Eighth Amendment; and

7 b. Section III contains an agreement that Defendants’ Plan will not be included in  
8 either the Mental Health Services Delivery System (MHSDS) Program Guide or the  
9 Compendium and thus appears to implicate the question of what updating process the court will  
10 adopt for the Program Guide in the future, a matter not yet resolved.

11 In accordance with the above, IT IS HEREBY ORDERED that within fourteen days the  
12 parties shall file the responses called for by this order, which may be in the form of a joint  
13 statement if the parties wish to respond in that manner.

14 DATED: November 5, 2021.

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18 CHIEF UNITED STATES DISTRICT JUDGE  
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