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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.,	No. 2:90-cv-0520 KJM DB P
12	Plaintiffs,	ORDER
13	V.	
14	GAVIN NEWSOM, et al.,	
15	Defendants.	
16		
17	On April 12, 2023, the court adopted as final the California Department of Corrections	
18	and Rehabilitation [CDCR] Provisionally Approved Telepsychiatry Policy. ECF No. 6539 at 5-	
19	12. April 12, 2023 Order, ECF No. 7807, at 11. In so doing, the court declined to consider	
20	defendants' proposed Revised Telepsychiatry Policy on the ground defendants had neither filed a	
21	motion to modify two court orders that contain "mandatory' limitations on defendants' use of	
22	telepsychiatry" nor had they sought to reset a previously vacated evidentiary hearing on the use of	
23	telepsychiatry. Id. at 8 (quoting Coleman v. Newsom, 789 Fed. App'x 38, 39 (9th Cir. 2019).	
24	The court left open the possibility defendants could seek relief from those orders under Federal	
25	Rule of Civil Procedure 60(b), and it retained in the record the Special Master's December 15,	
26	2022 findings on defendants' proposed Revised Telepsychiatry Policy and the parties' responses	
27	to those findings. Id. at 10, 11. Defendants have appealed the April 12, 2023 order; their appeal	
28	currently is pending in the United States Court of Appeals for the Ninth Circuit, Coleman v.	
24 25 26 27	The court left open the possibility defendants could seek relief from those orders under Federal Rule of Civil Procedure 60(b), and it retained in the record the Special Master's December 15, 2022 findings on defendants' proposed Revised Telepsychiatry Policy and the parties' responses to those findings. <i>Id.</i> at 10, 11. Defendants have appealed the April 12, 2023 order; their appeal	

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Newsom, # 23-25755. Defendants have not sought further relief from this court. *Cf.* ECF No. 7807 at 10.

3 The Special Master has informed the court that on or about July 21, 2023 defendants 4 circulated to him and to plaintiffs' counsel a draft Telemental Health Services Policy. He also has 5 provided a copy to the court, which the court has not yet reviewed. Good cause appearing, IT IS 6 HEREBY ORDERED that within thirty days from the date of this order the parties shall meet and 7 confer under the supervision of the Special Master concerning defendants' draft Telemental 8 Health Services Policy circulated to the Special Master and to plaintiffs' counsel and, also within 9 that time, the parties shall file a joint report to the court on the outcome of the meet and confer. 10 SO ORDERED.

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DATED: August 3, 2023.

DISTRICT JUDGE