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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JERRY VALDIVIA, ALFRED YANCY,
and HOSSIE WELCH, on their own
behalf and on behalf of the class
of all persons similarly situated,

NO. CIV. S-94-671 LKK/GGH

Plaintiffs,

v.

O R D E R

EDMUND G. BROWN, JR., Governor of
the State of California, et al.,

Defendants.

_____ /

Pending before the court is a motion by plaintiffs for reconsideration of the Magistrate Judge's October 14, 2011 order denying plaintiff's motion to compel informal interviews of staff in county jails in charge of assigning hearing rooms and hearing space and in charge of security and escort functions for parole proceedings. Plaintiffs asserted that some of the rooms used imposed a barrier between parolees and all other participants, and that those barriers were inconsistent with due process. Placer County, which is not a party to this suit, opposed the motion.

1 Shortly before the hearing scheduled on this matter,
2 plaintiffs and defendants filed a joint statement that resolves the
3 dispute by specifying which rooms at several county jails,
4 including Butte County, may be used for parole proceedings.

5 Accordingly, the court finds that plaintiff's motion to
6 reconsider the magistrate judge's order, ECF No. 1716, is DENIED
7 as MOOT. It follows from the joint statement that the magistrate
8 judge's order denying plaintiffs' motion to compel informal
9 interviews of county jail staff is also moot, and is vacated.

10 IT IS SO ORDERED.

11 DATED: December 22, 2011.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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