

1 **P O R T E R | S C O T T**

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7 of the Board of Parole Hearings, and All Deputy Commissioners of the Board of Parole Hearings
8 Who Hear Lifer Cases

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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

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13 RICHARD M. GILMAN, et al.,

Case No. 2:05-cv-00830-LKK-GGH

14

15 Plaintiffs,

**STIPULATION AND ORDER REGARDING
16 PRODUCTION OF DOCUMENTS**

17

v.

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19 ARNOLD SCHWARZENEGGER, et al.,

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Defendants.

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22 Pursuant to Local Rule 143, IT IS HEREBY STIPULATED and agreed by and
23 between Plaintiffs RICHARD M. GILMAN, JAMES MASONER, RICHARD W. BROWN,
24 CHRIS FOWLER, EDWARD STEWART, MARIO MARQUEZ, RICHARD LEWIS, and
25 GLORIA OLSON, on their own behalf and on behalf of those similarly situated (hereinafter
26 collectively "Plaintiffs"), and Defendants ARNOLD SCHWARZENEGGER, ROBERT
27 DOYLE, All Commissioners of the Board of Parole Hearings, and All Deputy
28 Commissioners of the Board of Parole Hearings Who Hear Lifer Cases (hereinafter
collectively "Defendants"), by and through their undersigned counsel, that, insofar as
Plaintiffs have requested and will in the future be requesting the production of documents

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1 responsive to Requests Numbers 1, 2 and 3, seeking *inter alia* "BPH Form 1045(A) filings,"
2 all other requests (not on Form 1045(A)), and decisions with regard to petitions "to advance
3 a life prisoner's next parole suitability hearing," in the August 18, 2010 Request for
4 Production of Documents by Plaintiffs, as compelled by the Order of the Court [Docket No.
5 294] dated December 9, 2010, for responsive time periods subsequent to those time periods
6 already presently produced and hereafter to be produced by Defendants, any such production
7 of documents responsive to those requests, including *inter alia* Form 1045(A) Petitions to
8 Advance and respective supportive documentation, shall be produced as "confidential"
9 material subject to the provisions of the Protective Order [Docket No. 301] issued by this
10 Court on December 23, 2010.

11 IT IS FURTHER STIPULATED that on or before February 7, 2011, Defendants will
12 produce the documents described in the Requests Numbers 1, 2, and 3, in the December 23,
13 2010 Request for Production of Documents, and on or before February 7, 2011, Defendants
14 will produce the documents in Request Number 4 in the August 18, 2010 Request for
15 Production of Documents, which shall be produced as "confidential" material subject to the
16 provisions of the Protective Order [Docket No. 301] issued by this Court on December 23,
17 2010.

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19 IT IS SO STIPULATED.

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21 Dated: January 19, 2011

DANIEL J. BRODERICK
Federal Defender

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24 By /s/ David Porter (as authorized on 1/19/11)
25 David Porter
26 Attorney for Plaintiffs
27 RICHARD M. GILMAN, et al.
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Dated: January 19, 2011

PORTER SCOTT
A PROFESSIONAL CORPORATION

By /s/ Michael W. Pott
Terence J. Cassidy
Michael W. Pott
Glen A. Williams
Attorney for Defendants
ARNOLD SCHWARZENEGGER, et al.

IT IS HEREBY ORDERED.

Dated: January 20, 2011

/s/ Gregory G. Hollows

United States Magistrate Judge
Gregory G. Hollows

gilm0830.pd