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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD M. GILMAN, et al.,

NO. CIV. S-05-830 LKK/GGH

Plaintiffs,

v.

O R D E R

EDMUND J. BROWN, et al.,

Defendants.

_____ /

On August 17, 2011, the court denied Darrel King and Timothy Leang Jones' motion for permissive joinder. (Doc. No. 361). On August 29, 2011, Mr. King and Mr. Jones filed a motion for reconsideration. (Doc. No. 364). In essence, they are arguing that this court should make them class representatives. If, as they contend, Mr. King and Mr. Jones are class members and, thus, they do not need to notify the court - Mr. King's and Mr. Jones's interests are already represented in this action as class members. No action is required of the court to allow Mr. King and Mr. Jones to obtain relief,, if any, through this class action.

Mr. King and Mr. Jones are free to contact class counsel with

1 any concerns about the case. The court has certified the class
2 action and class counsel, thus, represent all members of the class.
3 Class counsel are available at the following addresses:

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5 Daniel J. Broderick
6 Monica Knox
7 David M. Porter
8 Office of the Federal Defender
9 801 I Street
10 3rd Floor
11 Sacramento, CA 95814

12 Carter Capps White
13 King Hall Civil Rights Clinic
14 UC Davis School of Law
15 One Shields Avenue, Bldg. TB 30
16 Davis, CA 95616

17 The court reiterates that Mr. King and Mr. Jones need not take
18 any action to be considered class members. All individuals who fall
19 within the class definition are class members. Absent any
20 suggestion by Mr. King and Mr. Jones that class counsel are not
21 adequately representing their interests, the court will not take
22 any further action on their concerns.

23 Further, the court denies Mr. King and Mr. Jones' request for
24 an interlocutory appeal. Again, the court reiterates that Mr. King
25 and Mr. Jones need not take any action in order to benefit from
26 relief, if any, from the class action if they are indeed class
members.

For the foregoing reasons, Mr. King and Mr. Jones's motion for
reconsideration and request for an interlocutory appeal (Doc. No.
364) is DENIED. The Clerk of Court is instructed to serve this
order upon Mr. King and Mr. Jones at the addresses listed on the

1 motion.

2 IT IS SO ORDERED.

3 DATED: September 1, 2011.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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