

1 CLAUDIA CENTER – 158255
2 AMERICAN CIVIL LIBERTIES UNION
3 FOUNDATION
4 DISABILITY RIGHTS PROGRAM
5 39 Drumm Street
6 San Francisco, California 94111
7 Telephone: (415) 343-0770
8 Facsimile: (415) 395-0950
9 Email: ccenter@aclu.org

Kamala D. Harris
Attorney General of California
Jay C. Russell - 122626
Supervising Deputy Attorney General
OFFICE OF THE ATTORNEY GENERAL
455 Golden Gate Avenue, Suite 11000
San Francisco, California 94102
Telephone: (415) 703-5717
Facsimile: (415) 703-5843
Email: jay.russell@doj.ca.gov

10 MICHAEL W. BIEN – 096891
11 ERNEST GALVAN – 196065
12 BLAKE THOMPSON – 255600
13 ROSEN BIEN GALVAN &
14 GRUNFELD LLP
15 315 Montgomery Street, Tenth Floor
16 San Francisco, California 94104-1823
17 Telephone: (415) 433-6830
18 Facsimile: (415) 433-7104
19 Email: mbien@rbgg.com
20 egalvan@rbgg.com
21 bthompson@rbgg.com

Attorneys for Defendants

22 Attorneys for Plaintiffs

23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA,
SACRAMENTO DIVISION

1 ROBERT HECKER, et al.,
2 Plaintiffs,
3 v.
4 CALIFORNIA DEPARTMENT OF
5 CORRECTIONS AND REHABILITATION,
6 et al.,
7 Defendants.

Case No. 2:05-CV-02441 KJM DAD (PC)

**STIPULATION AND [PROPOSED]
ORDER GRANTING LEAVE TO FILE
PROPOSED ORDER ON JOINT
MOTION FOR FINAL APPROVAL OF
SETTLEMENT**

Judge: Hon. Kimberly J. Mueller

Trial Date: Not Set

1 On August 7, 2014, this Court granted preliminary approval of a settlement in this
2 action. ECF No. 125. The Court also ordered that a Final Fairness Hearing shall be held
3 at 10:00 a.m. on Friday, December 5, 2014, to determine whether the settlement should be
4 granted final approval, further ordering that any briefing from the parties in advance of that
5 hearing be filed no later than November 21, 2014. *Id.* at 2-3.

6 The parties filed their Joint Motion for Final Approval of Settlement on November
7 21. Because the parties had not agreed on language for a proposed order to accompany
8 that motion, Plaintiffs and Defendants each submitted versions of proposed orders.

9 After further discussions, the parties have now mutually agreed on language for a
10 proposed order, a copy of which is attached to this Stipulation. Accordingly, the parties
11 seek leave to file this joint proposed order as part of the pending Joint Motion for Final
12 Approval of Settlement.

13 | Dated: November 24, 2014

AMERICAN CIVIL LIBERTIES FOUNDATION – DISABILITY RIGHTS PROGRAM

/s/ *Claudia Center*

Claudia Center

Dated: November 24, 2014

**ROSEN BIEN
GALVAN & GRUNFELD LLP**

/s/ Blake Thompson

Michael W. Bien
Ernest Galvan
Blake Thompson

Attorneys for Plaintiffs

23 | Dated: November 24, 2014

OFFICE OF THE ATTORNEY GENERAL

/s/ Jay C. Russell

Jay C. Russell

Attorneys for Defendants

ORDER

Upon reading and considering the parties' stipulation, IT IS SO ORDERED. The parties are granted leave to file the Joint [Proposed] Order Granting Final Approval of Settlement submitted with this Stipulation and Order. It is deemed filed and shall accompany the parties Joint Motion for Final Approval of Settlement.

3 | DATED: December 3, 2014.

UNITED STATES DISTRICT JUDGE