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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 YVETTE DANIELS, MARIA AGUILAR
12 and KAREN CURRIE, individually
13 and on behalf of all persons
14 similarly situated,

15 Plaintiffs,

16 v.

17 CALIFORNIA DEPARTMENT OF
18 CORRECTIONS AND
19 REHABILITATION,

20 Defendant.
21 _____/

No. 2:10-cv-00003-MCE-DAD

ORDER

22 The court has received a Notice of Related Cases from
23 Plaintiff's counsel in the above-captioned matter asking that it
24 be related to another matter pending in the United States
25 District Court, Northern District of California, entitled Berndt,
26 et al., v. CDCR. et al., U.S. District Court Case No. 03-3174 VRW.
27 The Notice of Related Cases purports to be made under the
28 auspices of Eastern District Local Rule 123. Rule 123, however,
applies only to cases pending in the Eastern District; here, the
case for which relation is sought is pending in another district
altogether, the Northern District of California.

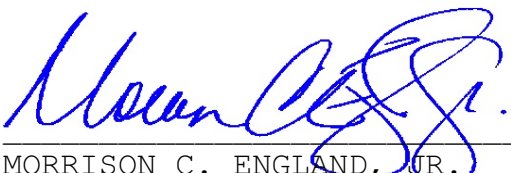
1 Moreover, even if Rule 123 did apply, the Judge with the oldest
2 case would ordinarily decide whether relation should be effect.
3 See E.D. Local Rule 123(c). Here, because the Northern District
4 Action was filed in 2003 and the action pending in this District
5 was not filed until 2010, the decision should not be made by the
6 undersigned in any event.

7 The result would not change even were this Court to address
8 the merits. The present matter appears to involve harassment
9 through inmate possession of pornographic materials at juvenile
10 institutions, whereas the Berndt case alleges harassment by
11 virtue of indecent exposure by inmates at adult institutions.
12 Despite some similarities, the cases do not appear similar enough
13 to effect, through relation, a substantial savings of judicial
14 effort or other economies.

15 This order is issued for informational purposes only, and
16 shall have no effect on the status of either this case or the
17 case pending before the Northern District.

18 IT IS SO ORDERED.

19 Dated: June 11, 2010

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22 MORRISON C. ENGLAND, JR.
23 UNITED STATES DISTRICT JUDGE
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