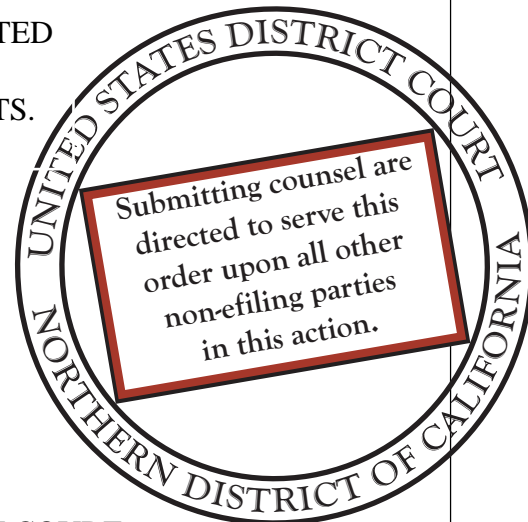


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*Attorneys for Defendants State of California, et al.*

\*COUNSEL IS DIRECTED  
TO FILE A PROOF OF  
SERVICE ON ALL PLTS.  
OF THIS ORDER.



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**ROBERT O. GILMORE, JR., et al.,**  
  
Plaintiffs,  
  
v.  
  
**STATE OF CALIFORNIA, et al.,**  
  
Defendants.

CV 66-45878 SI

**STIPULATION TO SHORTEN  
TIME FOR HEARING ON  
DEFENDANTS' MOTION FOR  
PROTECTIVE ORDER**

Defendants have moved this Court in accordance with Federal Rules of Civil Procedure, rule 26(c) for a protective order staying discovery until the Court has ruled on Defendants' Motion to Terminate. Unless Defendants' motion for a protective order is heard on a shortened schedule, the Court will be unable to issue a decision before Defendants' responses to Plaintiffs' first set of interrogatories and first request for production of documents are due.

THEREFORE THE PARTIES AGREE AND STIPULATE that Defendants' motion for a protective order will be filed on November 30, 2009. Any opposition to Defendants' motion for a protective order will be due by Wednesday, December 9, 2009. Defendants waive their right to reply. The parties respectfully request that the Court rule on Defendants' motion by December 14, 2009.

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THE PARTIES FURTHER AGREE AND STIPULATE that, unless otherwise ordered by the Court, the matter will be deemed submitted on the papers once the opposition has been filed.

Dated: November 30, 2009

Respectfully submitted,  
EDMUND G. BROWN JR.  
Attorney General of California

/s/ Damon McClain  
DAMON MCCLAIN  
Deputy Attorney General  
*Attorneys for Defendants State of California,  
et al.*

Dated: November 30, 2009

PRISON LAW OFFICE

/s/ Alison Hardy  
ALISON HARDY  
Attorneys for Plaintiffs

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_



\_\_\_\_\_  
The Honorable Susan Illston  
United States District Judge

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Gilmore v. California**  
No.: **CV 66-45878 SI**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On November 30, 2009, I served the attached

**STIPULATION TO SHORTEN TIME FOR HEARING ON DEFENDANTS'  
MOTION FOR PROTECTIVE ORDER**

**DECLARATION OF DAMON MCCLAIN IN SUPPORT OF STIPULATION TO  
SHORTEN TIME FOR HEARING ON DEFENDANTS' MOTION FOR  
PROTECTIVE ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

**Megan Hagler, Attorney at Law**  
**Prison Law Office**  
**1917 Fifth Street**  
**Berkeley, CA 94710-1916**  
*Attorney for Robert O. Gilmore, Jr.*

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on November 30, 2009, at San Francisco, California.

\_\_\_\_\_  
L. Santos  
Declarant

\_\_\_\_\_  
/s/ L. Santos  
Signature