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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EMMA C. et al.,

Plaintiffs,

v.

DELAINE EASTIN, et al.,

Defendants.

NO. C96-4179 TEH

ORDER RE PROCESS FOR
MAKING ALLOCATION FOR
FISCAL YEAR 2010-11

A new fiscal year will commence on July 1, 2010. The Court hopes that Defendants will be able to agree upon an equitable allocation for fiscal year 2010-2011 without intervention from the Court, in light of the guidance provided by this Court's May 14, 2003 Order Re Initial Allocation, and their past successes in reaching agreement.¹ In the event that informal resolution is not possible, the Court will make an equitable allocation.

To facilitate the allocation process in a timely manner, the Court sets forth the following schedule:

1. By no later than March 1, 2010, Ravenswood and the Court Monitor shall each submit their respective proposed budgets to the Court and the parties.
2. The Defendants shall, as soon as possible thereafter, meet and confer in good faith to seek an agreement upon an equitable allocation for the fiscal year 2010-11.

¹ This allocation will cover two budgets: (1) the RSIP implementation budget, and (2) the Monitor's Office budget.


1 3. Defendants shall, by no later than Friday, May 7, 2010, file either a joint
2 statement setting forth an agreed upon allocation for fiscal year 2010-11 or, if no agreement
3 has been reached, separate opening briefs setting forth their respective positions with respect
4 to an appropriate allocation.

5 4. If the parties have not reached agreement, Defendants shall respond to each
6 other's opening briefs by no later than Friday, May 21, 2010. To the extent that Plaintiffs
7 wish to address this matter, they may file comments responding to Defendants' opening
8 briefs no later than Friday, May 21, 2010. The Court shall hold a hearing on the allocation
9 issue, if necessary, on Wednesday, June 2, 2010, at 10:00AM.

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IT IS SO ORDERED.

Dated: 1/29/10



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT