

1  
2  
3 IN THE UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
5  
6

7  
8 EMMA C. et al.,

9 Plaintiffs,

NO. C96-4179 TEH

10 v.

ORDER RE PROCESS FOR  
MAKING ALLOCATION FOR  
FISCAL YEAR 2012-2013

11 DELAINE EASTIN, et al.,

12 Defendants.  
13

14  
15 A new fiscal year will commence on July 1, 2012. The Court hopes that Defendants  
16 will be able to agree upon an equitable allocation for fiscal year 2012-2013 without  
17 intervention from the Court, in light of the guidance provided by this Court's May 14, 2003  
18 Order Re Initial Allocation, and their past successes in reaching agreement.<sup>1</sup> In the event  
19 that informal resolution is not possible, the Court will make an equitable allocation.

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

22 1. By no later than Friday, April 6, 2012, Ravenswood and the Court Monitor shall  
23 each submit their respective proposed budgets to the Court and the parties.

24 2. The Defendants shall, as soon as possible thereafter, meet and confer in good faith  
25 to seek an agreement upon an equitable allocation for the fiscal year 2012-2013.  
26

27  
28 <sup>1</sup> 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, April 27, 2012, file either a joint  
2 statement setting forth an agreed upon allocation for fiscal year 2012-2013 or, if no  
3 agreement has been reached, email the Court Monitor informing him they have not reached  
4 agreement and stating, without argument, the areas of disagreement. The parties shall then  
5 participate in a mediation process led by the Court Monitor in order to attempt to resolve  
6 these areas of disagreement.

7           4. Defendants shall, by no later than Friday, May 11, 2012, file either a joint  
8 statement setting forth an agreed-upon allocation for fiscal year 2012-2013, or, if no  
9 agreement has been reached, separate opening briefs setting forth their respective positions  
10 with respect to an appropriate allocation.

11           5. If the parties have not reached agreement, Defendants shall respond to each other's  
12 opening briefs by no later than Friday, May 25, 2012. To the extent that Plaintiffs wish to  
13 address this matter, they may file comments responding to Defendants' opening briefs no  
14 later than Friday, May 25, 2012. The Court shall hold a hearing on the allocation issue, if  
15 necessary, on Wednesday, June 13, 2012, at 10:00AM.

16

17

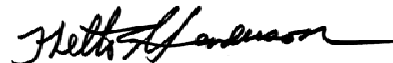
18 **IT IS SO ORDERED.**

19

20

21 Dated: 3/19/12

22



---

THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT

23

24

25

26

27

28