

United States District Court  
For the Northern District of California

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

CARLOS CASTRO,

Plaintiff,

v.

CAL TERHUNE, Director, CALIFORNIA  
DEPARTMENT OF CORRECTIONS,  
G. BONNIE GARIBAY, J. BATCHELOR, S.  
C. WOLHWEND, A. SCRIBNER,  
J. STOKES, M. YARBOROUGH, L. HOOD,  
C. CAMPBELL, A. M. GONZALEZ,  
M. AYALA, E. DERUSHA, c/o ROBERT  
L. L. AYERS, Warden, and J. MARTINEZ,

No. C 98-04877 WHA

No. C 09-04902 WHA

Defendants.

**ORDER REQUESTING PARTIES'  
INPUT ON WHETHER TO  
CONSOLIDATE ACTIONS**

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CARLOS CASTRO,

Plaintiff,

v.

ROBERT A. HOREL, D. MOUNT, J.,  
BEESON, S. MCKINNEY, N. GRANNIS,  
EVERETT W. FISCHER, D. L. SPEEN, M.  
DUFF, DOES 1-100,

Defendants.

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Phase II of *Castro v. Terhune*, Case No. 3:98-cv-04877-WHA, is scheduled for a bench trial beginning on September 20, 2010. It will address plaintiff's "revalidation" as a prison gang associate in August 2009. *Terhune* was recently related to *Castro v. Horel*, Case No. 3:09-cv-04902-WHA, which will address plaintiff's "active/inactive" review as a prison gang

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associate in 2006. The parties' written input on whether the two matters should be consolidated for trial is requested by **NOON ON FEBRUARY 17, 2010.**

**IT IS SO ORDERED.**

Dated: February 10, 2010



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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE