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

CARLOS CASTRO,

Plaintiff,

No. C 98-04877 WHA

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,

**ORDER REQUESTING  
BRIEFING**

Defendants.

Defendants have committed to forgo trial on plaintiff's 2009 validation, assuming the following: (1) plaintiff "honors his stated willingness to waive his attorneys' fees"; (2) further discovery is stayed; and (3) briefing is allowed as to the appropriate validation protocol to afford plaintiff constitutional due process and process in accord with the Prison Litigation Reform Act. This order requests briefing from both parties on the third topic. Briefs are limited to fifteen pages and are due by **NOON ON OCTOBER 5, 2010**. Reply briefs are limited to five pages and are due by **NOON ON OCTOBER 8, 2010**. Plaintiff must comment on defendants' first two requests.

**IT IS SO ORDERED.**

Dated: September 27, 2010.



WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE