

1 IN THE UNITED STATES DISTRICT COURTS
2 FOR THE EASTERN DISTRICT OF CALIFORNIA
3 AND THE NORTHERN DISTRICT OF CALIFORNIA
4 UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES
5 PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

6
7 RALPH COLEMAN, et al.,
8 Plaintiffs,

9 v.

10 ARNOLD SCHWARZENEGGER,
11 et al.,
12 Defendants.

NO. CIV S-90-0520 LKK JFM P

THREE-JUDGE COURT

13 MARCIANO PLATA, et al.,
14 Plaintiffs,

15 v.

16 ARNOLD SCHWARZENEGGER,
17 et al.,
18 Defendants.

NO. C01-1351 TEH

THREE-JUDGE COURT

ORDER

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20 This matter came on for hearing on September 5, 2008 on plaintiffs' motion to compel
21 depositions of certain legislator intervenors and on the motion of those legislator intervenors
22 for protective order. Edward P. Sangster, Esq., appeared as counsel for plaintiffs. Galit A.
23 Knotz, Esq. and Chad A. Stegeman, Esq., appeared as counsel for plaintiffs.

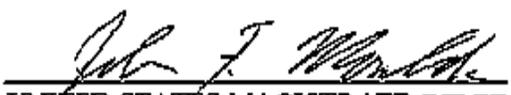
24 After review of the papers filed in support of an in opposition to the motions, and
25 consideration of the arguments of counsel, the court announced to the parties that the motion
26 to compel would be granted as to the depositions of Senator George Runner and
27 Assemblyman Todd Spitzer, with each deposition limited to four hours. The court further
28 announced that the motion for protective order would be granted as to the depositions of

1 Senator David Cogdill and Assemblyman Michael Villines. After a brief recess, the parties
2 jointly represented that the depositions of Senator Runner and Assemblyman Spitzer will be
3 conducted on September 24, 2008, one deposition to commence at 9:00 a.m. and the other at
4 1:30 p.m.

5 In accordance with the above, IT IS HEREBY ORDERED that:

- 6 1. Plaintiffs' August 21, 2008 motion for order compelling depositions of certain
7 legislator intervenors is granted in part.
- 8 2. Legislator Intervenors' August 21, 2008 motion for protective order is granted in
9 part.
- 10 3. The deposition of Senator George Runner will be taken on September 24, 2008 at
11 9:00 a.m. Said deposition shall not exceed four hours.
- 12 4. The deposition of Assemblyman Todd Spitzer will be taken on September 24, 2008
13 at 1:30 p.m. Said deposition shall not exceed four hours.
- 14 5. The depositions of Senator David Cogdill and Assemblyman Michael Villines will
15 not be taken.
- 16 6. The schedule for the foregoing depositions may only be modified by joint
17 agreement of the parties; any agreement must be in writing and consistent with the schedule
18 for these proceedings set by the three-judge court.

19 DATED: September 8, 2008.

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22 UNITED STATES MAGISTRATE JUDGE

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