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

MARCIANO PLATA, et al.,  
Plaintiffs,  
v.  
EDMUND G. BROWN JR., et al.,  
Defendants.

NO. C01-1351 TEH

ORDER TO MEET AND  
CONFER RE: PLAINTIFFS'  
MOTION REGARDING  
VALLEY FEVER

12 On March 20, 2013, Plaintiffs' filed a motion concerning Valley Fever at Pleasant  
13 Valley State Prison and Avenal State Prison. It is unclear from the papers whether the parties  
14 have ever directly communicated about Plaintiffs' concerns. *See* Specter Decl. (discussing  
15 correspondence by Plaintiffs' counsel to the Receiver, Secretary of the California  
16 Department of Corrections and Rehabilitation ("CDCR"), and the Court's experts, and  
17 correspondence from the Receiver to Plaintiffs' counsel, but not correspondence from  
18 Defendants or their counsel to Plaintiffs' counsel). In addition, the Court finds that the court  
19 experts' opinion would be helpful to the resolution of Plaintiffs' motion.

20 Accordingly, with good cause appearing, IT IS HEREBY ORDERED that the current  
21 briefing and hearing schedule is VACATED. The parties shall meet and confer with each  
22 other, the Receiver, and the court experts to attempt to resolve the issues raised by Plaintiffs'  
23 motion. The Receiver shall facilitate this process, which shall be completed by **April 19,**  
24 **2013**. If the parties can completely resolve or at least narrow their dispute, then they shall  
25 file an appropriate stipulation on or before **April 24, 2013**. If any issues remain for  
26 resolution by this Court, then the following shall be the schedule:

- 27 1. Defendants' opposition shall be filed on or before **May 6, 2013**.  
28 2. Plaintiffs' reply shall be filed on or before **May 13, 2013**.

1           3. The experts shall file a report expressing their opinion and recommendations on or  
2 before **May 24, 2013**. If the Receiver wishes to file a response to Plaintiffs' motion, he may  
3 do so on or before the same date.

4           4. The hearing shall be held on **June 17, 2013, at 10:00 AM**.


5           Finally, the Court clarifies that the appointment of the Receiver superseded the  
6 provisions of the June 13, 2002 Order Appointing Experts that allowed the parties to request  
7 evaluations from the court experts or to request that the experts attend negotiations,  
8 medication sessions, or court hearings.

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10 **IT IS SO ORDERED.**

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12 Dated: 03/21/13

  
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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT

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