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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 RE:
CONFIDENTIALITY OF
COMMUNICATIONS WITH
RECEIVER

11 The Receiver has informed the Court that, in the related three-judge court
12 proceedings, Defendants served discovery on Plaintiffs requesting communications between
13 Plaintiffs and the Receiver. These discovery requests have been dismissed by the three-judge
14 court. *Plata/Coleman v. Brown* Apr. 11, 2013 Op. & Order Denying Defs.' Mot. to Vacate
15 or Modify Population Reduction Order at 25. This Court nonetheless finds it prudent to
16 remind the parties that their communications with the Receiver, whether ex parte or joint, are
17 confidential. However, the Court does not intend to make confidential any records or
18 communications that would otherwise be public due to the Receiver's exercise of the powers
19 of the Secretary of the California Department of Corrections and Rehabilitation as to the
20 prison medical health care system. Prior to disclosing any communications with the Receiver
21 to anyone, including opposing counsel, the parties must meet and confer with the Receiver to
22 determine whether the communications are protected. Any disputes concerning
23 confidentiality will be decided by this Court or referred to a magistrate judge for resolution.

24
25 **IT IS SO ORDERED.**

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27 Dated: 04/15/13



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT