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8 Attorneys for Defendants

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 10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA**
 12 **AND THE NORTHERN DISTRICT OF CALIFORNIA**
 13 **UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES**
 14 **PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE**

15 RALPH COLEMAN, et al.,
 16 Plaintiffs,
 17 v.
 18 EDMUND G. BROWN JR., et al.,
 19 Defendants.

CASE NO. 2:90-cv-00520 KJM DB
THREE-JUDGE COURT

20 MARCIANO PLATA, et al.,
 21 Plaintiffs,
 22 v.
 23 EDMUND G. BROWN JR., et al.,
 24 Defendants.

CASE NO. C01-1351 JST
THREE-JUDGE COURT
**STIPULATION AND ORDER RE:
 DESIGN CAPACITY CALCULATIONS
 FOR INFILL BEDS AT MULE CREEK
 STATE PRISON AND RICHARD J.
 DONOVAN CORRECTIONAL FACILITY**

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1 On June 23, 2014, the Three-Judge Court entered an Order requiring that "if defendants
2 intend to add any future new design capacity, they shall meet and confer with plaintiffs to see if
3 they can reach agreement on how such capacity should be counted and, if so, file a stipulation and
4 proposed order." (June 23, 2014 Order at 8:25-9:1, *Plata* Dock. No. 2796; *Coleman* Dock. No.
5 5172.) In February and March 2016, CDCR activated 1,584 infill beds and corresponding
6 administrative and health care support facilities at Mule Creek State Prison. In December 2016,
7 CDCR activated an additional 792 infill beds and corresponding administrative and health care
8 support facilities at Richard J. Donovan Correctional Facility.

9 Consistent with this Three-Judge Court's June 23, 2014 Order, the parties have met and
10 conferred, which included tours of both the Mule Creek and Richard J. Donovan facilities and
11 review of relevant data and reports. The parties are in agreement that this additional capacity shall
12 be counted at 137.5 percent of design bed capacity (2,376 beds), for purposes of calculating
13 compliance with the Court's population order.

14 Dated: March 12, 2018

XAVIER BECERRA
Attorney General of California

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By: /s/ *Maneesh Sharma*
MANEESH SHARMA¹
Deputy Attorney General
Attorneys for Defendants

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18 Dated: March 12, 2018

HANSON BRIDGETT LLP

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By: /s/ *Paul B. Mello*
PAUL B. MELLO
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Attorneys for Defendants

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22 Dated: March 12, 2018

PRISON LAW OFFICE

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By: /s/ *Don Specter* _____
DON SPECTER
Attorneys for Plaintiffs

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¹Counsel attests that e-filing authorization was obtained from all signatories on March 9, 2018.

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Dated: March 12, 2018

ROSEN, BIEN, GALVAN, & GRUNFELD LLP

By: /s/ *Michael Bien* _____
MICHAEL BIEN
Attorneys for Plaintiffs

Pursuant to the foregoing stipulation, IT IS SO ORDERED:

DATED: March 14, 2018


STEPHEN REINHARDT
UNITED STATES CIRCUIT JUDGE
NINTH CIRCUIT COURT OF APPEALS

DATED: March 14, 2018


KIMBERLY J. MUELLER
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF CALIFORNIA

DATED: March 14, 2018


JON S. TIGAR
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA