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

CARLOS PEREZ, et al.

Plaintiffs,

No. C 05-05241 JSW

v.

**NOTICE OF TENTATIVE
RULING AND QUESTIONS FOR
HEARING**

JAMES TILTON, et al.,

Defendants.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE TAKE
NOTICE OF THE FOLLOWING TENTATIVE RULING AND QUESTIONS FOR THE
HEARING SCHEDULED ON OCTOBER 20, 2008, AT 10:00 A.M.:

The Court has reviewed the parties' memoranda of points and authorities and, thus, does not wish to hear the parties reargue matters addressed in those pleadings. If the parties intend to rely on legal authorities not cited in their briefs, they are ORDERED to notify the Court and opposing counsel of these authorities reasonably in advance of the hearing and to make copies available at the hearing. If the parties submit such additional authorities, they are ORDERED to submit the citations to the authorities only, with pin cites and without argument or additional briefing. *Cf.* N.D. Civil Local Rule 7-3(d). The parties will be given the opportunity at oral argument to explain their reliance on such authority.

The Court **tentatively GRANTS** Plaintiffs' motion.

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The parties each shall have fifteen (15) minutes to address the following question:

1. Have the Court Representatives formulated an opinion on whether Defendants' revised screening policy is adequate to ensure that prisoners with serious dental needs are not transferred to out-of-state facilities? *See Hardy Decl., Ex. H.* If so, what is that opinion? Do the Court Representatives believe that review of the dental records is necessary to formulate their opinion? *The Court does not require a written response to this question in advance of the hearing.*
2. Apart from the proposed revised stipulation regarding expert invoices, are there any other issues the parties wish to address?

IT IS SO ORDERED.

Dated: October 15, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE