

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE UNITED STATES DISTRICT COURTS
FOR THE EASTERN DISTRICT OF CALIFORNIA
AND THE NORTHERN DISTRICT OF CALIFORNIA

RALPH COLEMAN, et al.,

Plaintiffs,

No. CIV S-90-0520 LKK JFM P (E.D. Cal.)

v.

ARNOLD SCHWARZENEGGER,
et al.,

Defendants.

MARCIANO PLATA, et al.,

Plaintiffs,

No. C 01-1351 TEH (N.D. Cal.)

v.

ARNOLD SCHWARZENEGGER,
et al.,

Defendants.

CARLOS PEREZ, et al.,

Plaintiffs,

No. C 05-5241 JSW (N.D. Cal.)

v.

MATTHEW CATE, et al.,

Defendants.

1 JOHN ARMSTRONG, et al.,

2 Plaintiffs,

No. C 94-2307 CW (N.D. Cal.)

3 v.

4 ARNOLD SCHWARZENEGGER,
5 et al.,

ORDER TO SHOW CAUSE

6 Defendants.
7 _____/

8 The Receiver in Plata, the Special Master in Coleman, and the Court Representatives in
9 Perez and Armstrong have presented to the judges in the above-captioned cases an agreement
10 that they have reached during the coordination meetings that they have held to date. The
11 agreement, which is attached to this order, is presented to the undersigned for review and
12 approval.

13 Good cause appearing, IT IS HEREBY ORDERED that the parties in the above-
14 captioned cases are granted until November 10, 2008, to show cause why the attached agreement
15 should not be adopted as an order of the court. Any response to this order to show cause shall be
16 filed in each of the above-captioned cases and served on all of the parties to all of the cases and
17 on the Receiver, the Special Master, and the Court Representatives. If necessary, the Receiver,
18 the Special Master, and the Court Representatives may file a reply to the parties' responses on or

19 //

20 //

21 //

22 //

23 //

24 //


25 //

26 //


1 before November 17, 2008. Thereafter, the request for approval of the agreement will be taken
2 under submission for individual and joint consideration by the undersigned.

3
4 **IT IS SO ORDERED.**

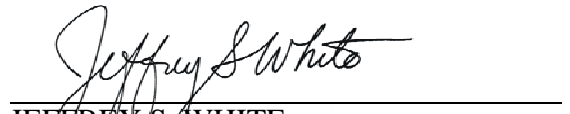
5
6 DATED: 10/30/08


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA


7
8
9
10 DATED: 10/30/08


THELTON E. HENDERSON
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA

11
12
13
14 DATED: 10/30/08


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA

15
16
17
18 DATED: 10/30/08


CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA

1 Transition, Activation, and Management of the Receiver's 10,000 Bed Project

2 Pursuant to the Joint Court Order dated February 26, 2008, the Receiver has taken the lead
3 concerning the construction of 10,000 medical and mental health beds. At present, the Receiver is
4 planning to construct seven 1,500-bed health care facilities, the great majority of which will be on
5 existing California Department of Corrections and Rehabilitation (CDCR) property. However, each
6 facility will be constructed as a stand-alone institution and will be self-sufficient in terms of staffing,
7 food, infrastructure, clothing, and other prison needs.

8 To ensure the cost-effective and coordinated provision of medical, mental health, dental and
9 Americans with Disabilities Act services, the Receiver will assume responsibility for all transition
10 planning and recruitment of staff for the seven new facilities. CDCR and the Department of Mental
11 Health (DMH) will participate in staff hiring for the respective areas of operation concerning mental
12 health and dental services. The Receiver will also assume the responsibility to obtain funding for all
13 transition activities. However, the Receiver will exercise his responsibilities in cooperation with
14 CDCR, the DMH, and the Court representatives from the *Coleman, Armstrong, and Perez* class
15 actions. For example, representatives from CDCR, the DMH, and the class actions will be involved
16 with policy and operational design of the new facilities as well as with the selection of upper-level
17 facility management.
18
19
20
21
22
23
24
25
26