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 15 IN THE UNITED STATES DISTRICT COURT
 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION

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 19 **CARLOS PEREZ,**

C 05-05241 JSW

20 Plaintiff,

**JOINT ADMINISTRATIVE MOTION
 AND ~~PROPOSED~~ ORDER CONTINUING
 THE APRIL 16, 2010 CASE
 MANAGEMENT CONFERENCE**

21 v.

22
 23 **MATTHEW CATE, et al.,**

Judge: The Honorable Jeffrey S. White

24 Defendants.

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 26 In accordance with Civil Local Rule 7-11, the parties respectfully submit this Joint
 27 Administrative Motion and Proposed Order seeking a continuance of the April 16, 2010 case
 28 management conference (CMC).

1 The Court set a CMC in this case for April 16, 2010. The parties request a continuance of
2 the April 16, 2010 CMC to May 28, 2010. At the last CMC, the parties updated the Court on a
3 number of dental-program issues, including the transition to the Health Program Manager III
4 positions. Also at that time, the Court inquired as to whether the California Department of
5 Corrections and Rehabilitation (CDCR) had conducted any audits as contemplated by the
6 stipulated injunction. Although no audits had been conducted at the time, CDCR agreed to
7 conduct seven audits by the April 16, 2010 CMC.

8 Since the last CMC, CDCR has undertaken a comprehensive review of the dental program's
9 policies and procedures (P&Ps), which are incorporated into the stipulated injunction. (Toche
10 Decl. at ¶ 2.) CDCR has also undertaken a review of the *Perez* implementation plan, which is
11 also part of the stipulated injunction. (*Id.*) Because the P&Ps and implementation plan are part of
12 the stipulated injunction, once finalized and agreed to by Plaintiffs, they will be submitted to this
13 Court for approval.

14 CDCR's review and revision of the P&Ps and the implementation plan and Plaintiff's
15 subsequent review will not be completed by the April 16, 2010 CMC. (*Id.*) If the CMC is
16 continued to May, however, the parties expect to complete the P&P revision process to allow the
17 parties to submit them to the Court. (*Id.*) The parties might be able to finalize revisions to the
18 implementation plan as well. (*Id.*)

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1 Moreover, at this time, CDCR has audited seven institutions. (*Id.* at ¶ 3.) CDCR
2 anticipates auditing another twelve institutions, for a total of nineteen institutions by May 28,
3 2010. (*Id.*) Therefore, continuing the CMC to May will allow the parties to report more
4 information to the Court regarding the audited institutions. For these reasons, the parties request
5 the Court to continue the April 16, 2010 CMC to May 28, 2010.

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7 Dated: April 8, 2010 */s/Phillip Lindsay*
8 Phillip Lindsay
9 Deputy Attorney General
Attorney for Defendants

10 Dated: April 8, 2010 */s/Alison Hardy*
11 Alison Hardy
12 Prison Law Office
Attorney for Plaintiffs

13 I, Phillip Lindsay, attest that Alison Hardy approved the filing of this document on
14 April 8, 2010.

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16 **ORDER**

17 The April 16, 2010 case management conference is vacated. A case management
18 conference shall be set for ~~May 28, 2010 at 1:30 p.m.~~ June 4, 2010 at 1:30 p.m.

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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21 Dated: April 12, 2010 _____

Jeffrey S. White
22 Hon. Jeffrey S. White
United States District Judge

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