

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

3  
4 JOHN ARMSTRONG, et al., on behalf  
5 of themselves and as  
6 representatives of the class,

No. C 94-2307 CW

ORDER REGARDING  
MONITORING

7                                    Plaintiffs,

8                                    v.

9 EDMUND G. BROWN, JR., Governor of  
10 the State of California;  
11 CALIFORNIA DEPARTMENT OF  
12 CORRECTIONS AND REHABILITATION;  
13 MICHAEL MINOR, Director of the  
14 Division of Juvenile Justice; DR.  
15 JEFFREY A. BEARD, Secretary of  
16 the California Department of  
17 Corrections and Rehabilitation;  
18 JENNIFER SHAFFER, the Executive  
19 Officer of the Board of Parole  
20 Hearings; DIANA TOCHE, Acting  
21 Director of the Division of  
22 Correctional Health Care  
23 Services; CHRIS MEYER, Director  
24 of the Division of Facility  
25 Planning, Construction and  
26 Management; KATHLEEN DICKINSON,  
27 Director of Adult Institutions;  
28 and DAN STONE, Director of  
Division of Adult Parole  
Operations,

Defendants.

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22            On February 4, 2013, the Court directed the parties to file a  
23 brief addressing whether it would be appropriate for the Office of  
24 Inspector General (OIG) to play a role in monitoring state prisons  
25 in this action for compliance with the rights of inmates with  
26 disabilities. Docket No. 2231. Pursuant to the Court's  
27 direction, the parties filed briefs addressing this topic. Docket

1 Nos. 2252, 2290, 2291.<sup>1</sup>

2 Having reviewed the written submissions by the parties and  
3 their oral presentations at the hearing, the Court declines to  
4 establish OIG monitoring at this time.<sup>2</sup> In their briefs and in  
5 previous status reports, the parties raised issues about the  
6 ongoing monitoring that is taking place in this case pursuant to  
7 the Court's prior orders. At this time, the Court directs the  
8 parties to meet and confer, with the assistance of the Court's  
9 expert as needed, on how to resolve these issues and improvements  
10 that might be made on the monitoring process.

11 IT IS SO ORDERED.

12  
13 Dated: 6/3/2013

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16 CLAUDIA WILKEN  
17 United States District Judge  
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25 <sup>1</sup> Defendants move to strike Plaintiffs' brief for violation  
26 of the ten-page page limit set by the Court. Docket No. 2295. At  
27 the hearing held on May 16, 2013, Defendants declined to pursue  
28 the motion. Accordingly, the motion is DENIED as moot (Docket No.  
2295).

<sup>2</sup> Plaintiffs' administrative motion to submit supplemental  
evidence is DENIED as moot (Docket No. 2323).