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United States District Court
For the Northern District of California

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

PRISON LEGAL NEWS,
Plaintiff,
v.
ARNOLD SCHWARZENEGGER, et al.,
Defendants.

No. C 07-02058 CW
ORDER REQUIRING
FURTHER BRIEFING
ON THE COURT'S
DECISION NOT TO
TERMINATE
JURISDICTION

_____ /

On August 3, 2010, the mandate issued in Prison Legal News v. Schwarzenegger, 608 F.3d 446 (9th Cir. 2010). The Ninth Circuit largely affirmed this Court's December 5, 2008 Order Granting in Part and Denying in Part Plaintiff's Motion for Recovery of Attorneys' Fees and Costs. However, the Ninth Circuit could not discern from the record "[w]hether the time has come for the district court to terminate its jurisdiction." Id. at 455 The Ninth Circuit noted that the "record is silent with respect to many of the state officials' obligations under the agreement and the extent to which they have been fulfilled." Id. Therefore, the Ninth Circuit vacated this Court's decision not to terminate

1 jurisdiction.

2 In light of the Ninth Circuit's opinion, when Defendants are
3 prepared to do so, they may file a motion to terminate jurisdiction
4 along with evidence that they have completed their obligations.
5 Plaintiff may file its response sixty days thereafter and Defendant
6 may reply thirty days later. The Court will set a hearing if
7 necessary. Meanwhile, the case is administratively closed.

8 IT IS SO ORDERED.

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10 Dated: 08/04/10



CLAUDIA WILKEN
United States District Judge

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