

1
2
3
4
5
6
7

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 RALPH COLEMAN, et al.,
12 Plaintiffs,
13 v.
14 GAVIN NEWSOM, et al.,
15 Defendants.

No. 2:90-cv-0520 KJM DB P

ORDER

18 By order filed July 9, 2019, the court directed the parties to file within thirty days
19 “a document that identifies all negotiated or court-ordered remedial measures adopted in this
20 action that cover custodial issues and are not included in the 2018 Program Guide Revision.”
21 ECF No. 6214 at 19. On August 12, 2019, the court approved the parties’ stipulation to extend
22 the deadline for filing the required document and extended the deadline to September 4, 2019.
23 ECF No. 6240. On September 4, 2019, the parties filed a second stipulation and proposed order
24 to extend the deadline by another two days. ECF No. 6265. On September 6, 2019, the parties
25 jointly submitted the required document. ECF No. 6271. Good cause appearing, the court will
26 approve the stipulation filed September 4, 2019 and consider the September 6, 2019 submission
27 timely filed.

1 Appendix A to the September 6, 2019 joint submission is the list of all policies and
2 court orders related to custodial issues that the parties agree are part of the remedy in this case
3 and not included in the 2018 Program Guide Revision. ECF No. 6271-1. By this order, the court
4 approves the list presented as Appendix A and adopts it as identifying relevant custodial remedial
5 measures in this action, subject to the possible addition of measures following resolution of the
6 outstanding disputes as described below.

7 The parties' joint submission includes a list of four polices and/or orders that
8 plaintiffs want included in the list of custodial remedial measures. ECF No. 6271 at 2.
9 Defendants contend the items on the list are not responsive to the July 9, 2019 order. *Id.* The
10 parties have set forth in the joint submission their respective positions as to each of the four items.
11 *Id.* at 2-10.

12 The July 9, 2019 order requires that the parties "confirm that the Special Master
13 has reviewed the list and concurs that it is a comprehensive list of such remedial measures." ECF
14 No. 6214 at 19. The Special Master has informed the court that he has specific views concerning
15 whether each of the four disputed items belongs on the list the court has required. To ensure that
16 his views are properly reflected in the record before the court on this question, the court issues the
17 order set forth below.

18 Upon hearing as provided below from the Special Master, and the parties as
19 necessary, the court anticipates directing the Special Master to file a completed 2018 Program
20 Guide Revision taking account of the court's orders issued since that revision's filing, designed to
21 finalize the revision in full, and accompanied by a complete approved list of custodial remedies.

22 Good cause appearing, IT IS HEREBY ORDERED that:

23 1. Appendix A to the Parties' Joint Submission of Custody-Related Remedial
24 Measures is approved and adopted;

25 2. This matter is referred to the Special Master who shall determine whether to
26 convene an additional meeting of the parties to resolve the disputes and/or to file his specific
27 recommendations with the court; and

28

1 3. The Special Master and the parties, if the Special Master convenes a meeting of
2 the parties, are granted sixty days to comply with paragraph 2 of this order.

3 DATED: October 8, 2019.

4 
5 UNITED STATES DISTRICT JUDGE
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28