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11 Attorneys for Plaintiffs

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14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 RALPH COLEMAN, et al.,
17 Plaintiffs,
v.
18 GAVIN NEWSOM, et al.,
Defendants.

19 Case No. 2:90-CV-00520-KJM-DB
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21 **STIPULATION AND ORDER**
22 **MODIFYING PROTECTIVE ORDERS**
23
24 Judge: Hon. Kimberly J. Mueller
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1 On January 7, 2020, the Court ordered the parties to present a proposed stipulation
2 and protective order to facilitate information sharing between the *Coleman* and *Plata*¹
3 classes. ECF No. 6441 at 3.

4 The parties understand counsel in *Plata* are filing a stipulation and proposed order
5 to modify the protective order in that matter to permit confidential material received in
6 *Plata* to be shared with and used in connection with *Coleman*.

7 The Protective Orders filed in this action on September 12, 1991, ECF No. 90;
8 July 29, 1992, ECF No. 291; and January 12, 2007, ECF No. 2109, are hereby expanded as
9 follows:

10 The definition of “confidential material” is hereby expanded to include California
11 Department of Corrections and Rehabilitation (“CDCR”) records that are designated by
12 defendants as threatening prison safety or security if disclosed without protective
13 conditions (“security information”), and which are produced by defendants in informal or
14 formal discovery in this action.

15 Confidential material may be disclosed to individuals—as described in Paragraph
16 3(a)-3(e) of the *Coleman* January 12, 2007 order, ECF No. 2109—in *Plata* who agree to be
17 bound by the terms of the *Coleman* protective orders; and all such confidential material
18 can be used in connection with *Plata*.

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26 **IT IS SO STIPULATED.**

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¹ *Plata, et al. v. Newsom, et al.*, No. 4:01-01351-JST, currently pending in the United
28 States District Court for the Northern District of California.

1 DATED: February 6, 2020 Respectfully submitted,
2 ROSEN BIEN GALVAN & GRUNFELD LLP
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4 By: /s/ Marc J. Shinn-Krantz
Marc J. Shinn-Krantz
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6 Attorneys for Plaintiffs
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8 DATED: February 6, 2020 XAVIER BECERRA
9 Attorney General of California
10 ADRIANO HRVATIN
Supervising Deputy Attorney General
11
12 By: /s/ Kyle A. Lewis
13 Kyle A. Lewis
Deputy Attorney General
14
15 Attorneys for Defendants

16 The foregoing stipulation of the parties is approved. In addition, paragraph 7 of the
17 protective order filed January 12, 2007, ECF No. 2019, is hereby modified as follows:
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20 7. With the exception of the monthly bed utilization reports required by the court's
21 May 23, 2007 order, ECF No. 2236, any party who seeks to file any document
22 containing confidential information shall comply with the requirements of Local
23 Rule 141 (E.D.Cal. 2019). The provisions of Local Rule 141(c) notwithstanding,
24 all requests to seal documents shall be accompanied by a stipulation of all counsel
25 consenting to the sealing request or notice that such stipulation could not reasonably
26 be obtained. No separate court order is required for the filing of the monthly bed
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1 utilization reports required by the court's May 23, 2007 order, ECF No. 2236, and
2 the Clerk of the Court shall continue to file those monthly reports pursuant to the
3 existing protective orders in this action including this order.
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6 **IT IS SO ORDERED.**

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9 DATED: February 24, 2020.

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CHIEF UNITED STATES DISTRICT JUDGE