

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 RALPH COLEMAN, et al.,
12 Plaintiffs,

13 v.

14 GAVIN NEWSOM, et al.,
15 Defendants.
16

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

ORDER

17
18 Plaintiffs have filed a motion for a 60-day continuance of the evidentiary hearing
19 concerning class member access to Department of State Hospital (DSH) programs. ECF No.
20 6797. The hearing was original set for April 21, 2020. ECF No. 6600. The parties have
21 stipulated to continue the hearing three times; all three stipulations have been approved by the
22 court. ECF Nos. 6622, 6676, 6734.¹ Defendants oppose the instant motion, contending there is
23 no dispute defendants are complying with the terms of the court's April 24, 2020 order
24 temporarily modifying Program Guide requirements for transfer of class members to DSH to
25 include COVID-19 screening and otherwise requiring compliance with Program Guide
26 requirements for such transfer. ECF No. 6639 at 11. Under all the circumstances, defendants

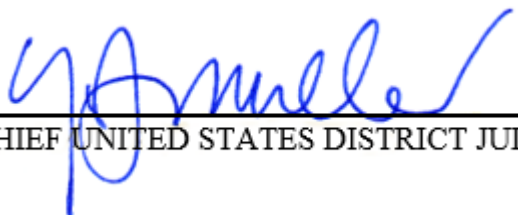
27
28 ¹ The court ordered one other continuance for a period of five days. *See* ECF No. 6730.

1 argue, it is a waste of time and resources to continue moving this hearing and they ask the court to
2 vacate it.

3 After consideration of the arguments of counsel and good cause appearing, IT IS
4 HEREBY ORDERED that:

- 5 1. Plaintiffs' motion to continue the evidentiary hearing regarding class member
6 access to Department of State Hospital inpatient programs is GRANTED;
- 7 2. The evidentiary hearing is CONTINUED from August 7, 2020 at 10:00 a.m. to
8 October 23, 2020 at 10:00 a.m.; and
- 9 3. On or before October 9, 2020, the parties shall file a joint statement setting
10 forth their respective positions regarding whether the hearing should proceed.

11 DATED: August 3, 2020.

12
13 
14 CHIEF UNITED STATES DISTRICT JUDGE
15
16
17
18
19
20
21
22
23
24
25
26
27
28