

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

RALPH COLEMAN, et al.,

Plaintiffs,  
v.

NO. CIV S-90-0520 LKK JFM P (E.D.  
Cal.)

ARNOLD SCHWARZENNEGER, et al.,  
Defendants

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MARCIANO PLATA, et al.,

Plaintiffs,  
v.

NO. C01-1351 TEH (N.D. Cal.)

ARNOLD SCHWARZENEGGER,  
et al.,  
Defendants.

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CARLOS PEREZ, et al.,

Plaintiffs,  
v.

NO. C05-05241 JSW (N.D. Cal.)

JAMES TILTON, et al.,  
Defendants

ORDER APPROVING  
COORDINATION AGREEMENTS  
ATTACHED TO JOINT MAY 29, 2007  
ORDER

The undersigned have carefully considered the six proposed coordination agreements (attached to the May 29, 2007 Order filed jointly in the above-captioned cases), and the responses thereto, filed by Plaintiffs and Defendants on June 15, 2007. We conclude that the six proposed coordination agreements will assist the remedial process in all three cases by avoiding inefficiencies and duplication of effort. The Court does not disagree with the points identified by the parties. Except as expressly ordered herein, however, these are matters that

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the undersigned intend to take into account, and revisit if necessary, as the remedial process moves forward.

The proposed coordination agreements call for the Plata Receiver to assume responsibility for (1) direct oversight of contracting functions for medical, dental, and mental health care; (2) implementation of the long-term information technology program to include the medical, dental, and mental health programs; and (3) oversight of pharmacy operations serving the medical, dental, and mental health programs. The assumption of these responsibilities by the Plata Receiver will be approved subject to the reporting requirements set forth in this order, which follow the order appointing the Receiver filed February 14, 2006 in Plata. See Order filed February 14, 2006, at I (D).

Accordingly, and good cause appearing, IT IS HEREBY ORDERED that:

1. The undersigned HEREBY APPROVE the above-identified six coordination agreements.<sup>1</sup>

2. The Receiver shall henceforth file in Coleman quarterly progress reports which shall address: (a) all tasks and metrics necessary to the contracting functions, implementation of long-term information technology, and pharmacy services for mental health care, with degree of completion and date of anticipated completion for each task and metric; (b) particular problems being faced by the Receiver in connection with the contracting functions, implementation of long-term information technology, and pharmacy

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<sup>1</sup> Judge Henderson notes that the Union of American Physicians and Dentists (“UAPD”), which represents physicians employed by the California Department of Corrections and Rehabilitation (“CDCR”), has filed an application for leave to file an amicus curiae brief with respect to the credentialing agreement. Judge Henderson grants this request and directs that the Clerk of the Northern District of California permit the filing of the UAPD’s “Amicus Curiae Brief on Proposed Agreement to Assign Credentialing to Receiver,” which is attached to its request. In its brief, the UAPD states that it supports reassigning credentialing to the Receiver but raises concerns to the extent that some future action by the Receiver in this area might implicate the UAPD collective bargaining agreement with respect to the rights of physicians already employed. The Receiver shall file a response to this concern, in *Plata v. Schwarzenegger* C01-1351, within 7 days from the date of this Order.

services for mental health care; and (c) particular successes achieved by the Receiver in connection with the contracting functions, implementation of long-term information technology, and pharmacy services for mental health care. The first report shall be due on October 1, 2007.

3. The Receiver shall henceforth file in Perez quarterly progress reports which shall address: (a) all tasks and metrics necessary to the contracting functions, implementation of long-term information technology, and pharmacy services for dental care, with degree of completion and date of anticipated completion for each task and metric; (b) particular problems being faced by the Receiver in connection with the contracting functions, implementation of long-term information technology, and pharmacy services for dental care; and (c) particular successes achieved by the Receiver in connection with the contracting functions, implementation of long-term information technology, and pharmacy services for dental care. The first report shall be due on October 1, 2007.

**IT IS SO ORDERED.**

DATED: June 28, 2007



LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DATED: June 28, 2007

/s/ Thelton E. Henderson  
THELTON E. HENDERSON  
SENIOR JUDGE  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF CALIFORNIA

DATED: June 28, 2007

/s/ Jeffrey S. White  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF CALIFORNIA