

1 PRISON LAW OFFICE
DONALD SPECTER Bar No.: 83925
2 STEVEN FAMA Bar No.: 99641
KEITH WATTLEY Bar No.: 203366
3 General Delivery
San Quentin, California 94964
4 Telephone (415) 457-9144

5 BINGHAM, McCUTCHEN, LLP
WARREN E. GEORGE Bar No.: 53588
6 Three Embarcadero Center
San Francisco, California 94111
7 Telephone (415) 393-2000

8 ROSEN, BIEN & ASARO, LLP
MICHAEL W. BIEN Bar No.: 096891
9 JANE E. KAHN Bar No.: 112239
THOMAS NOLAN Bar No.: 169692
10 155 Montgomery Street, 8th Floor
San Francisco, California 94104
11 Telephone (415) 433-6830

12 HELLER, EHRMAN, WHITE & McAULIFFE
RICHARD L. GOFF Bar No.: 36377
13 701 Fifth Avenue
Seattle, Washington 98104
14 Telephone (206) 447-0900

15 THE LEGAL AID SOCIETY-EMPLOYMENT LAW CENTER
CLAUDIA CENTER Bar No.: 158255
16 LEWIS BOSSING Bar No.: 227402
600 Harrison Street, Suite 120
17 San Francisco, CA 94107
Telephone: (415) 864-8848
18

19 Attorneys for Plaintiffs

20 UNITED STATES DISTRICT COURT
21 EASTERN DISTRICT OF CALIFORNIA

22 RALPH COLEMAN,) No.: Civ S 90-0520 LKK-JFM
23)
24 Plaintiffs,) SECOND STIPULATION AND ORDER
25 vs.) RE: BRIEFING SCHEDULE AND
26 ARNOLD SCHWARZENEGGER, et al.,) HEARING RE: PLAINTIFFS' NOTICE
27 Defendants) OF DEFENDANTS' FAILURE TO
) COMPLY WITH THE JUNE 9, 2005
) COURT ORDER, PARAGRAPHS 2 AND
) 5, RE: SUICIDE PREVENTION
) POLICIES

1 THE PARTIES, BY AND THROUGH THEIR COUNSEL, STIPULATE AS
2 FOLLOWS:

3 The parties respectfully request that the Court postpone the hearing, now set for
4 October 27, 2005, for approximately sixty (60) days, and modify the briefing schedule
5 concerning Plaintiffs' Notice of Defendants' Failure to Comply with the June 9, 2005 Court
6 Order, Paragraphs 2 and 5, Re: Suicide Prevention Policies, as set forth below.

7 1. On August 26, 2005, Plaintiffs' Notice of Defendants' Failure to Comply with the
8 June 9, 2005 Court Order, Paragraphs 2 and 5, Re: Suicide Prevention Policies was filed.

9 2. On September 12, 2005, the Court set the matter for hearing on October 14,
10 2005, and set a briefing schedule.

11 3. On September 20, 2005, the Court, after consultation with the Special Master,
12 issued an Order continuing the hearing to October 27, 2005, at 10:00 a.m.

13 4. On September 26, 2005, the Court ordered that plaintiffs' reply be filed no later
14 than September 30, 2005. Plaintiffs filed their reply papers on September 30, 2005.

15 5. The parties have been in weekly negotiation concerning defendants' compliance
16 with the June 9, 2005 Order and have also been consulting with the Special Master. In
17 response to concerns raised by plaintiffs and the Special Master, Defendants have agreed to
18 make various changes to their policy. Distribution of the revised policy and training on the
19 revised policy on a systemwide basis will require additional time. To facilitate this process,
20 the parties, with the approval of the Special Master, jointly request that the Court postpone the
21 hearing, now set for October 27, 2005, for a minimum of sixty (60) days.

22 6. No later than ten (10) days before the new date set by this Court for the hearing
23 on this matter, Defendants shall file declarations establishing that they have completed the
24 necessary steps to assure that the revised policy has been distributed and training on the revised
25 policy on a systemwide basis has occurred.

26 ///

27 ///

28 ///

IT IS SO STIPULATED.

Dated: October __, 2005

BILL LOCKYER Attorney General
of the State of California
JAMES M. HUMES Chief Assistant Attorney
General
FRANCES T. GRUNDER Senior Assistant
Attorney General
STEPHEN P. AQUISTO Supervising Deputy
Attorney General

By/signature on original
LISA A. TILLMAN
Deputy Attorney General,
Attorneys for Defendants

Dated: October __, 2005

ROSEN, BIEN & ASARO, LLP

By/signature on original
THOMAS NOLAN
Attorneys for Plaintiffs

Good cause appearing, IT IS HEREBY ORDERED that:

1. The Hearing on Plaintiffs' Notice of Defendants' Failure to Comply with the June 9, 2005 Court Order, Paragraphs 2 and 5, Re: Suicide Prevention Policies, presently set for October 27, 2005 is continued to January 5, 2006 at 10:00 a.m.

2. No later than December 22, 2005, Defendants shall file declarations establishing that they have completed the necessary steps to assure that the revised policy has been distributed and training on the revised policy on a systemwide basis has occurred.

Dated: October 25, 2005.

/s/Lawrence K. Karlton
LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT