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6   IN THE UNITED STATES DISTRICT COURTS

7   FOR THE EASTERN DISTRICT OF CALIFORNIA

8   AND THE NORTHERN DISTRICT OF CALIFORNIA

9   UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES

10   PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

11

12   RALPH COLEMAN, et al.,

13   Plaintiffs,
                                                NO. CIV S-90-0520 LKK JFM P
14   v.
                                                THREE-JUDGE COURT
15   ARNOLD SCHWARZENEGGER,
     et al.,
16
                     Defendants.
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18   MARCIANO PLATA, et al.,

19   Plaintiffs,   NO. C01-1351 TEH

20   v.   **THREE-JUDGE COURT**

21   ARNOLD SCHWARZENEGGER,   <u>ORDER SETTING STATUS
     et al.,   CONFERENCE AND TRIAL
22   DATE AND ORDER STAYING
                                                DISCOVERY</u>
23   Defendants.

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25   As discussed during the May 30, 2008 status conference, the Court finds good cause

26   to order the following:

27   1.   Discovery is hereby STAYED until **June 30, 2008**, except for the following:

28   a.   All pending motions before the magistrate judge;

1   b. The pending motion for reconsideration before this Court on the attorney-

2 client privilege; and

3   c. The motion for reconsideration regarding the deliberative process privilege

4 that Defendants announced an intent to file during the May 30 status conference.

5   2. Absent any settlement, trial in this matter shall begin on **November 17, 2008.**

6 Unless otherwise ordered, each trial day shall run from 9:15 AM until 4:00 PM. The Court

7 may also decide to hold trials on Tuesdays through Fridays only, in which case the start of

8 trial may be delayed until November 18, 2008. Trial shall be held in the United States

9 District Court for the Northern District of California, located at 450 Golden Gate Avenue,

10 San Francisco, California.[1]

11   3. The parties and intervenors shall meet and confer regarding: (1) proposed new

12 discovery deadlines given the thirty-day stay ordered above; (2) proposed pretrial dates to

13 accompany the November trial date; and (3) the estimated length of trial. The parties and

14 intervenors shall set forth their views on these issues, and any other relevant issues, in a joint

15 status conference statement to be filed on or before **June 9, 2008.** The Court will carefully

16 consider the parties' and intervenors' proposals but retains discretion to set its own pretrial

17 dates and deadlines. The parties and intervenors are advised that if they propose a

18 dispositive motion schedule, they shall explain why such a schedule is necessary given the

19 extensive factual disputes that exist in this case.

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28   [1]The Court will identify at a later time the particular courtroom in which trial will occur.

1   4.   The parties and intervenors shall appear for a status conference before this

2   Court on **Friday, June 27, 2008, at 10:30 AM.** The status conference shall be held in the

3   Ceremonial Courtroom of the United States District Court for the Northern District of

4   California, located on the 19th Floor at 450 Golden Gate Avenue, San Francisco, California.

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6   **IT IS SO ORDERED.**

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8   Dated: 05/30/08   On behalf of the Court:[2]

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10   _____
                                          THELTON E. HENDERSON
11   SENIOR UNITED STATES DISTRICT JUDGE
                                          NORTHERN DISTRICT OF CALIFORNIA
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24   [2]Under 28 U.S.C. § 2284(b)(3), a single judge on a three-judge court "may conduct all
    proceedings except the trial, and enter all orders permitted by the rules of civil procedure
    except as provided in this subsection. He may grant a temporary restraining order on a
25   specific finding, based on evidence submitted, that specified irreparable damage will result if
    the order is not granted, which order, unless previously revoked by the district judge, shall
26   remain in force only until the hearing and determination by the district court of three judges
    of an application for a preliminary injunction. A single judge shall not appoint a master, or
27   order a reference, or hear and determine any application for a preliminary or permanent
    injunction or motion to vacate such an injunction, or enter judgment on the merits. Any
28   action of a single judge may be reviewed by the full court at any time before final judgment."

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