

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

RALPH COLEMAN, et al.,

Plaintiffs,

No. CIV S-90-0520 LKK JFM P

vs.

ARNOLD SCHWARZENEGGER,
et al.,

O R D E R

Defendants.

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16 On February 2, 2009, the court issued an order to show cause
17 as to why defendants should not be required to operate, on a
18 temporary basis, the mental health crisis beds at CIM-GACH as
19 presently operated and at current staffing levels,
20 notwithstanding the San Francisco Superior Court decision in Budd
21 v. Cambra. Plaintiffs and defendants have responded with no
22 objection to the facility's continued operation.

23 The court finds that the urgent need by class members for
24 mental health crisis beds persists with such severity that state
25 licensing requirements must temporarily give way to remedy the
26 Eighth Amendment violations that remain unsolved in this action.

1 See also Order, May 1, 2006. Accordingly, the court ORDERS that
2 defendants operate, on an emergency basis, the mental health
3 crisis beds at CIM-GACH as presently operated and at current
4 staffing levels until further order of this court.

5 IT IS SO ORDERED.

6 DATED: February 17, 2009.

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10 LAWRENCE K. KARLTON
11 SENIOR JUDGE
12 UNITED STATES DISTRICT COURT
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