

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

RALPH COLEMAN, et al.,  
Plaintiffs,

v.

EDMUND G. BROWN, JR., et al.,  
Defendants.

No. CIV. S-90-520 LKK/DAD (PC)

**ORDER**

Pursuant to court order (ECF No. 4992), this matter came on for status conference on January 30, 2014 to address preliminary matters arising from the death of a member of the plaintiff class on September 7, 2013. Michael W. Bien, Esq. and Jeffrey L. Bornstein, Esq. appeared as counsel for plaintiffs. Patrick R. McKinney and Jay C. Russell, Supervising Deputy Attorneys General, and Debbie Vorous, Deputy Attorney General, appeared as counsel for defendants. After review of the papers filed in connection with the status conference, consideration of the arguments of counsel, and good cause appearing, IT IS HEREBY ORDERED that:

1           1. Discovery is opened for a period of thirty days from the  
2           date this order is entered on the docket. Subject to the  
3           following provisions of this order, discovery is opened  
4           as to the factual circumstances of the class member's  
5           death insofar as those factual circumstances may pertain  
6           to issues raised by plaintiffs' motion concerning use of  
7           force, and as to whether relevant information concerning  
8           this death was withheld from plaintiffs or the court  
9           during the course of the evidentiary hearing which  
10          commenced on October 1, 2013. The parties shall  
11          forthwith meet and confer to determine whether they can  
12          agree on a joint statement of facts concerning one or  
13          both of the foregoing issues. If so, discovery shall be  
14          limited to those issues on which there are disputes that  
15          go to issues relevant to matters pending before this  
16          court. Said determination shall be made not later than  
17          three days from the date of this order.

18          2. Within three days from the date of this order, the  
19          parties shall meet and confer and file with the  
20          magistrate judge a joint statement concerning discovery  
21          which shall include (1) a description of the issue(s)  
22          that require discovery; (2) what discovery is proposed;  
23          and (3) any disputes over such discovery that the parties  
24          may anticipate as a result of the meet and confer  
25          process.

26          3. This matter is set for further status conference on  
27          Monday, March 10, 2014 at 1:30 p.m. The parties shall  
28          file status conference statements not later than 4:30

1 p.m. on Thursday, March 6, 2014. Said status conference  
2 statements shall include, as appropriate, any joint  
3 statement of facts the parties may have agreed on.  
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5 IT IS SO ORDERED.

6 DATED: January 30, 2014.  
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10 LAWRENCE K. KARLTON  
11 SENIOR JUDGE  
12 UNITED STATES DISTRICT COURT  
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