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

RALPH COLEMAN, et al.,

Plaintiffs,

v.

EDMUND G. BROWN JR., et al.,

Defendants.

2:90-cv-00520 KJM-DB (PC)

**STIPULATION AND ORDER
EXTENDING THE TIME TO RESPOND
TO THE SPECIAL MASTER'S REPORT
ON THE STATUS OF MENTAL
HEALTH STAFFING AND THE
IMPLEMENTATION OF DEFENDANTS'
STAFFING PLAN**

The parties stipulate as follows:

On February 6, 2017, the Special Master filed his Report on the Status of Mental Health Staffing and the Implementation of Defendants' Staffing Plan. (ECF No. 5564.)

Under Rule 53(f)(1) of the Federal Rules of Civil Procedure, the parties have 21 days to move to reject or modify a special master report. The current deadline to object to or move to modify the February 6 report is February 27, 2017. The parties have conferred and agree that

1 additional time is necessary to prepare and file their respective responses to the Special Master's
2 February 6 report.

3 The Special Master has indicated that he does not object to the parties' stipulation to extend
4 the time to respond to the February 6 report.

5 The parties therefore stipulate that the time for the parties to file responses to the Special
6 Master's Report on the Status of Mental Health Staffing and the Implementation of Defendants'
7 Staffing Plan should be extended 31 days, until March 30, 2017.

8 Dated: February 21, 2017

Respectfully submitted,

9 XAVIER BECERRA
10 Attorney General of California
11 DANIELLE F. O'BANNON
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12 */s/ Elise Owens Thorn*

13 ELISE OWENS THORN
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Attorneys for Defendants

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16 */s/ Michael W. Bien*
17 MICHAEL W. BIEN
Attorney for Plaintiffs

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20 **ORDER**

21 The court first notes there is a difference between the 21 day period in Federal Rule of Civil
22 Procedure 53(f)(2) and the ten day period in Section C of the Order of Reference filed December
23 11, 1995, ECF No. 640 at 8. The parties' filing reflects they assume the former controls the
24 deadline for filing responses to the Special Master's February 6, 2017 Report on the Status of
25 Mental Health Staffing and the Implementation of Defendants' Staffing Plan (Staffing Report),
26 ECF No. 5564. If the Order of Reference controls, responses were due February 17, 2017. *See*
27 Fed. R. Civ. P. 6(a)(1). In view of the parties' agreement that the time for responses should be
28 extended to March 30, 2017, and the Special Master's concurrence with this agreement, the court

1 need not resolve which period controls, or whether the stipulation was filed before or after the
2 time for filing responses has expired. *Cf.* Fed. R. Civ. P. 6(b)(1); L.R. 144(d) (E.D.Cal.). The
3 stipulation to extend until March 30, 2017 the time for the parties to file responses to the Special
4 Master's Staffing Report is APPROVED.

5 IT IS SO ORDERED.

6 DATED: February 23, 2017

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9 UNITED STATES DISTRICT JUDGE
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