

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RALPH COLEMAN,

Plaintiff,

v.

EDMUND J. BROWN, JR., et al.,

Defendants.

No. 2:90-cv-0520 KJM DB P

ORDER

The court has appointed Charles J. Stevens, Esq. of Gibson, Dunn & Crutcher LLP as a neutral expert to assist the court in investigating allegations raised in the verified report of Dr. Michael Golding, Chief Psychiatrist for the California Department of Corrections and Rehabilitation (CDCR) (Golding Report) to determine whether defendants have committed any fraud on the court or the Special Master, or have intentionally provided false or misleading information to the court or the Special Master. Mr. Stevens shall commence his duties immediately.

The Clerk of the Court shall forthwith provide to Mr. Stevens a full copy of the unredacted Golding Report and accompanying declaration and exhibits, filed under seal at ECF 5990, which shall be maintained by Mr. Stevens with full confidentiality.

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1 In addition, the court refers Mr. Stevens to the following documents filed in the
2 docket in this action:

3 1. The Redacted Declaration and Report of Michael Golding and accompanying
4 exhibits, ECF No. 5988.

5 2. The 2009 Revised Program Guide and pocket parts, ECF No. 5864-1.

6 To facilitate Mr. Stevens' access to these and any other documents he may want to
7 review in the record in this action, the court finds an exemption of PACER fees is necessary to
8 avoid unreasonable burdens and to promote public access to information. For that reason, this
9 court will grant a PACER fee exemption to Mr. Stevens for the limited purpose of accessing
10 documents in the court record in this action necessary to performance of his duties under the
11 December 14, 2018 Order Appointing Neutral Expert, ECF No. 6033. Mr. Stevens may request
12 the assistance of the court's courtroom deputy as needed to ensure he is taking advantage of this
13 exemption.

14 The Special Master is directed to provide to Mr. Stevens forthwith the factual
15 record on staffing compiled at the direction of the court during 2017 and 2018. The Special
16 Master shall serve a copy of this record on the parties at the time it is provided to Mr. Stevens.

17 Defendants shall provide to Mr. Stevens forthwith:

18 1. All Medication Administration Process Improvement Project protocols.

19 2. The business rules and/or data dictionary for the CERNER EHRS (Electronic
20 Health Record System) that produces reports regarding actual data for patient tracking,
21 scheduling, outcomes, and any other reports implicated by the allegations of the Golding Report.

22 3. At Mr. Stevens' request, Dashboard, CDCR self-monitoring, and/or Mental
23 Health Performance Reports for whatever timeframe Mr. Stevens deems necessary.

24 Defendants shall file in this action notice that these materials have been provided
25 to Mr. Stevens.

26 Finally, the court understands that Mr. Stevens will maintain a list of all
27 documents he obtains and reviews in the course of the investigation, and provide that list in his
28 final report.

1 In accordance with the above, IT IS HEREBY ORDERED that:

2 1. Charles J. Stevens, Esq. is granted a fee exemption for documents filed in this
3 action through the Electronic Case Filing (ECF) system that are available through the PACER
4 system;

5 2. This fee exemption applies only to documents necessary for the performance of
6 Mr. Stevens' duties under the Order Appointing Neutral Expert filed December 14, 2018, ECF
7 No. 6033;

8 3. This exemption shall be effective through April 19, 2019 and may be revoked
9 or extended at the discretion of the court, at any time. The Clerk of the Court shall send a copy of
10 this order to the PACER Service Center.

11 4. Mr. Stevens shall be forthwith provided with the documents as required by this
12 order.

13 DATED: December 14, 2018.

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15 UNITED STATES DISTRICT JUDGE
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