

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

RALPH COLEMAN, et al.,

Plaintiffs,
v.

NO. CIV S-90-0520 LKK JFM P (E.D.
Cal.)

ARNOLD SCHWARZENNEGER, et al.,
Defendants

MARCIANO PLATA, et al.,

Plaintiffs,
v.

NO. C01-1351 TEH (N.D. Cal.)

ARNOLD SCHWARZENEGGER,
et al.,
Defendants.

CARLOS PEREZ, et al.,

Plaintiffs,
v.

NO. C05-05241 JSW (N.D. Cal.)

JAMES TILTON, et al.,
Defendants

ORDER APPROVING
COORDINATION AGREEMENTS
ATTACHED TO JOINT MAY 29, 2007
ORDER

The undersigned have carefully considered the six proposed coordination agreements (attached to the May 29, 2007 Order filed jointly in the above-captioned cases), and the responses thereto, filed by Plaintiffs and Defendants on June 15, 2007. We conclude that the six proposed coordination agreements will assist the remedial process in all three cases by avoiding inefficiencies and duplication of effort. The Court does not disagree with the points identified by the parties. Except as expressly ordered herein, however, these are matters that

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1 the undersigned intend to take into account, and revisit if necessary, as the remedial process
2 moves forward.

3 The proposed coordination agreements call for the Plata Receiver to assume
4 responsibility for (1) direct oversight of contracting functions for medical, dental, and mental
5 health care; (2) implementation of the long-term information technology program to include
6 the medical, dental, and mental health programs; and (3) oversight of pharmacy operations
7 serving the medical, dental, and mental health programs. The assumption of these
8 responsibilities by the Plata Receiver will be approved subject to the reporting requirements
9 set forth in this order, which follow the order appointing the Receiver filed February 14,
10 2006 in Plata. See Order filed February 14, 2006, at I (D).

11 Accordingly, and good cause appearing, IT IS HEREBY ORDERED that:

12 1. The undersigned HEREBY APPROVE the above-identified six
13 coordination agreements.¹

14 2. The Receiver shall henceforth file in Coleman quarterly progress reports
15 which shall address: (a) all tasks and metrics necessary to the contracting functions,
16 implementation of long-term information technology, and pharmacy services for mental
17 health care, with degree of completion and date of anticipated completion for each task and
18 metric; (b) particular problems being faced by the Receiver in connection with the
19 contracting functions, implementation of long-term information technology, and pharmacy
20 services for mental health care; and (c) particular successes achieved by the Receiver in

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23 ¹ Judge Henderson notes that the Union of American Physicians and Dentists
24 (“UAPD”), which represents physicians employed by the California Department of
25 Corrections and Rehabilitation (“CDCR”), has filed an application for leave to file an amicus
26 curiae brief with respect to the credentialing agreement. Judge Henderson grants this request
27 and directs that the Clerk of the Northern District of California permit the filing of the
28 UAPD’s “Amicus Curiae Brief on Proposed Agreement to Assign Credentialing to
Receiver,” which is attached to its request. In its brief, the UAPD states that it supports
reassigning credentialing to the Receiver but raises concerns to the extent that some future
action by the Receiver in this area might implicate the UAPD collective bargaining
agreement with respect to the rights of physicians already employed. The Receiver shall file
a response to this concern, in *Plata v. Schwarzenegger* C01-1351, within 7 days from the
date of this Order.

1 connection with the contracting functions, implementation of long-term information
2 technology, and pharmacy services for mental health care. The first report shall be due on
3 October 1, 2007.


4 3. The Receiver shall henceforth file in Perez quarterly progress reports which
5 shall address: (a) all tasks and metrics necessary to the contracting functions,
6 implementation of long-term information technology, and pharmacy services for dental care,
7 with degree of completion and date of anticipated completion for each task and metric; (b)
8 particular problems being faced by the Receiver in connection with the contracting functions,
9 implementation of long-term information technology, and pharmacy services for dental care;
10 and (c) particular successes achieved by the Receiver in connection with the contracting
11 functions, implementation of long-term information technology, and pharmacy services for
12 dental care. The first report shall be due on October 1, 2007.

13 **IT IS SO ORDERED.**

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16 DATED: June 28, 2007

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18 /s/
19 LAWRENCE K. KARLTON
20 SENIOR JUDGE
21 UNITED STATES DISTRICT COURT
22 EASTERN DISTRICT OF CALIFORNIA

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24 DATED: June 28, 2007

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27 THELTON E. HENDERSON
28 SENIOR JUDGE
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA

29 DATED: June 28, 2007

30 _____
31 /s/
32 JEFFREY S. WHITE
33 UNITED STATES DISTRICT JUDGE
34 NORTHERN DISTRICT OF CALIFORNIA