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RICHARD M. GILMAN, et al.

11  
12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE EASTERN DISTRICT OF CALIFORNIA

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15 **RICHARD M. GILMAN, et al.,**

16 Plaintiffs,

17 v.

18 **ARNOLD SCHWARZENEGGER, et**  
19 **al.,**

20 Defendants.

No. Civ. S 05-830 LKK GGH

**ORDER AMENDING DEFINITIONS OF  
CERTIFIED CLASS**

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22 On March 14, 2009, the Court certified this case as a class action, creating one class  
23 for all claims alleged in the Corrected Fourth Amended Complaint; the class defined as all  
24 California state prisoners who a) have been sentenced to a life term with possibility of parole,  
25 b) have reached parole eligibility, and c) have been denied parole at least once.

26 Plaintiffs have now moved to amend that order to create different definitions of the  
27 class for different sets of claims.

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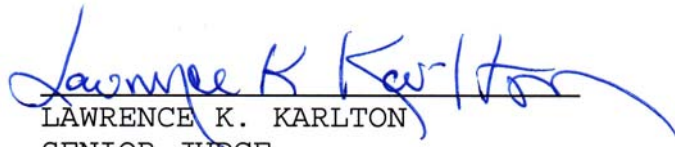
1 GOOD CAUSE APPEARING, the Court grants Plaintiffs' motion and orders the  
2 following amendments to the class definition:

3 1. As to Claim 8 (*ex post facto* challenge to Proposition 9 deferral provisions), the class  
4 is defined as "all California state prisoners who have been sentenced to a life term with  
5 possibility of parole for an offense that occurred before November 4, 2008."

6 2. As to Claim 9 (*ex post facto* challenge to Proposition 89 giving Governor authority  
7 to overturn a parole decision), the class is defined as "all California state prisoners who have  
8 been sentenced to a life term with possibility of parole for an offense that occurred before  
9 November 8, 1988."

10 3. As to all other claims, the class is defined as "all California state prisoners who have  
11 been sentenced to a life term with possibility of parole and have reached eligibility for a  
12 parole consideration hearing."  
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14 Dated: April 22, 2011.  
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18 LAWRENCE K. KARLTON  
19 SENIOR JUDGE  
20 UNITED STATES DISTRICT COURT  
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