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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DENNIS RUTHERFORD, ) Case No. CV 75-04111 DDP  
)  
Plaintiff, ) STIPULATION AND ORDER RE:  
) INJUNCTION  
v. )  
)  
SHERMAN BLOCK, )  
)  
Defendants. )

The parties agree that the Rutherford injunction, as modified herein, shall be applicable to this action as set forth below.

INJUNCTION

(1) Every inmate kept overnight in the jail will be accorded a mattress and a bunk upon which to sleep.

(2) "Bunk" shall be as defined at Section 1272 ("Mattresses") of Title 15 of the California Code of Regulations and Section 470A.3.5 ("Beds") of Title 24 of the California Code of Regulations.

(3) All bunks shall be supplied with full bedding. Bedding shall mean the Standard Bedding and Linen Issue as set forth in Title 15

THIS CONSTITUTES NOTICE OF ENTRY  
AS REQUIRED BY FRCP, RULE 77(d)

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1 at Section 1270 of the California Code of Regulations.

2 (4) The defendants may not house an inmate on a bunk in the  
3 freeways in the Men's Central Jail.

4 (5) Inmates shall not be housed in any area where there is not  
5 reasonably close access to toilets.

6 (6) In the event an inmate is not accorded a mattress and bunk  
7 upon which to sleep, for each such inmate, the defendants shall  
8 record that fact on a form. This form shall be entitled Record of  
9 Inmate Without A Bunk. This form shall contain the following  
10 information:

- 11 A) the inmate's name;
- 12 B) the inmate's booking number;
- 13 C) the date; and,
- 14 D) the reason.

15 This form shall be prepared for each inmate on the night on  
16 which the inmate was not accorded a mattress and bunk upon which to  
17 sleep. The forms shall be accessible to counsel for plaintiffs  
18 contemporaneously at the jail facilities and provided by defendants  
19 to counsel for plaintiffs and counsel for plaintiffs in the Thomas  
20 matter every 30 to 60 days.

21 (7) In addition, the defendants shall provide counsel for  
22 plaintiffs via e-mail on a daily basis a summary of the total  
23 number of inmates who have been kept overnight without a mattress  
24 and a bunk upon which to sleep.

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1 (8) Nothing in this injunction is intended to establish a  
2 constitutional standard. The parties do not waive their right to  
3 assert a different standard or standards in any later proceedings.

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BY Mark Rosenbaum  
MARK ROSENBAUM  
PETER ELIASBERG  
ATTORNEY FOR PLAINTIFFS

BY Paul Beach  
PAUL BEACH  
ATTORNEY FOR DEFENDANTS

BY Shaun Mathers  
LIEUTENANT SHAUN MATHERS  
LOS ANGELES COUNTY  
SHERIFF'S DEPARTMENT

IT IS SO ORDERED.

Dated: 11-18-05

Dean D. Pregerson  
DEAN D. PREGERSON  
United States District Judge