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

CARLOS PEREZ, et al.

Plaintiffs,

v.

JAMES TILTON, et al.,

Defendants.

No. C 05-05241 JSW

**ORDER APPOINTING COURT  
EXPERTS AS COURT  
REPRESENTATIVES**

Pursuant to the Court’s Order to Show Cause re Appointment of Court Representative, and the parties’ consent to have the current Court Experts, Drs. Jay Shulman and Joseph Scalzo, act as the Court’s Representatives, the Court HEREBY APPOINTS Drs. Shulman and Scalzo to act as the Court’s Representatives in connection with the coordination of the above captioned matter with *Coleman v. Schwarzenegger*, CIV-S-90-0520 LKK (JFM) P (E.D. Cal.) and *Plata v. Schwarzenegger*, C-01-1351 TEH (N.D. Cal.).

Accordingly, in addition to the duties set forth in the Court’s May 1, 2006 Order appointing the Court Experts (Docket No. 36), the duties of the Court Representatives shall be as follows:

1. To attend the monthly meetings with the Special Master in the *Coleman* action and the Receiver in the *Plata* action for the purpose of working collaboratively on issues related to the implementation of the Dental Implementation Plan and the Dental Policies, in this action, and the coordination of the remedies in each of these actions. As set forth in the January 25, 2007 Coordination Order, the Court

- 1 Representatives shall not be required to prepare or file written reports of said  
2 monthly coordination meetings.
- 3 2. To receive and consider in advance of the monthly coordination meetings, the  
4 proposed agenda items submitted by the parties in this action.
- 5 3. To attend the quarterly meetings with this Court, Judge Karlton and Judge  
6 Henderson that shall be held to further facilitate the coordination of the remedial  
7 process in this case and in the *Plata* and *Coleman* cases.
- 8 4. The Court Representatives shall consult with the parties in preparing the Joint  
9 Status Reports due to this Court and, if necessary, shall include a separate  
10 section outlining their position should their position differ from either of the  
11 parties' positions on a particular issue.
- 12 5. Nothing in this Order shall be construed to alter or amend such other reporting  
13 requirements as may presently exist or be created by subsequent Court order, nor  
14 shall anything in this order be construed to alter or amend such rights of the  
15 parties in this action as have been or may be established by Court orders, the  
16 Local Rules of Court, or the Federal Rules of Civil Procedure, to raise, as  
17 appropriate, objections with the Court to such reports as may be filed the Court  
18 Representatives.
- 19 6. The duties set forth herein may be further specified, expanded or modified only  
20 by Order of this Court.
- 21 7. In order to effectuate their duties, and with the consent of the parties, the Court  
22 Representatives shall be permitted to communicate with this Court on an *ex*  
23 *parte* basis.
- 24 8. As was previously set forth in the Court's May 1, 2006 Order, in fulfilling their  
25 duties under this Order, the Court Representatives shall have access to all parts  
26 of any institution, all relevant documents, all individuals (including interviews  
27 with staff or inmates), dental meetings, dental proceedings, and dental programs  
28 to the extent that such access is reasonably needed to fulfill their obligations.

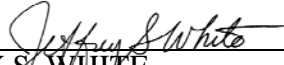
1 The Clerk is directed to add Drs. Shulman and Scalzo to the Service List at the  
2 following addresses:

3 Joseph D. Scalzo, DDS, CCHP  
4 3785 N. 156<sup>th</sup> Lane  
5 Goodyear, AZ 85338

6 Jay Schulman, DMD, MA, MSPH  
7 9647 Hilldale Drive  
8 Dallas, TX 75231

9 **IT IS SO ORDERED.**

10 Dated: February 8, 2007

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13 JEFFREY S. WHITE  
14 UNITED STATES DISTRICT JUDGE