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SCHOOLEY

18 **UNITED STATES DISTRICT COURT**

19 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

20 ROBERT HECKER and CHRISTOPHER LEE
21 JENKINS, et al.,

22 Plaintiffs,

23 vs.

24 CALIFORNIA DEPARTMENT OF CORRECTIONS
AND REHABILITATION, et al.,

25 Defendants. /

No. 2:05-CV-02441 LKK

JOINT STIPULATION
AND ORDER

Date: September 14, 2006
Time: 11:00 a.m.
Courtroom: 25
Judge: Hon John F. Moulds

1 Defendants California Department of Corrections and Rehabilitation (CDCR), Arnold
2 Schwarzenegger, Roderick Q. Hickman, Jeanne S. Woodford, and John Dovey ("Defendants")
3 and Plaintiffs Robert Hecker, Christopher Lee Jenkins, Peter Taylor, Ying Watt, John Mueller,
4 David Hunley, Joseph Cox, Eddie Thomas, Michael Lovelace, Samuel D'Angelo, Jr., and Jon
5 Schooley (hereinafter "Plaintiffs"),

6 HEREBY STIPULATE THAT:

7 (1) The Court take off calendar the status conference currently set for Thursday,
8 September, 14, 2006.

9 (2) Plaintiffs shall file their revised Second Amended Class Action Complaint for
10 Declaratory and Injunctive Relief by Friday, October 20, 2006.

11 (3) Defendants CDCR, Arnold Schwarzenegger, Jeanne S. Woodford, and John Dovey
12 shall file their responsive pleading to Plaintiff's revised Second Amended Complaint within 30
13 days of Plaintiff's filing the revised Second Amended Complaint.

14 (4) By Friday, September 29, 2006, the parties shall meet and confer, and attempt to agree
15 upon a scheduling order for this case. The proposed joint scheduling should be filed by
16 September 29, 2006, and should address:

- 17 (a) a deadline for leave to add new parties or pleading amendments;
18 (b) a deadline to complete non-expert discovery related to class certification;
19 (c) a deadline to complete non-expert discovery post-certification;
20 (d) a deadline to designate experts;
21 (e) a deadline to designate rebuttal experts;
22 (f) a deadline to complete expert discovery;
23 (g) a deadline to file dispositive motions;
24 (h) a deadline to participate in court-assisted alternative dispute resolution;
25 (i) a deadline for plaintiffs to file their motion for class certification;
26 (j) a proposed trial date if the Court denies class certification;

1 (k) a proposed trial date if the Court approves class certification; and

2 (l) a proposed date for another status conference.

3 DATED: September 12, 2006

THE LEGAL AID SOCIETY

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5 By: /s/
CLAUDIA CENTER
6 Attorneys for Plaintiffs

7 DATED: September 12, 2006

HANSON BRIDGETT MARCUS
VLAHOS & RUDY, LLP

8
9 By: /s/
KURT A. FRANKLIN
10 Attorneys for Defendants CALIFORNIA
11 DEPARTMENT OF CORRECTIONS
12 AND REHABILITATION,
SCHWARZENEGGER, HICKMAN,
WOODFORD, and DOVEY

13 APPROVED AND SO ORDERED:

14 DATED: September 13, 2006.

15 /S/ John F. Moulds
16 U. S. Magistrate Judge

17 heckerstip.doc