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Attorneys for Defendants COUNTY OF TEHAMA
and SHERIFF RUDY "MIKE" BLANUSA

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DENNIS WYCKOFF, et al.)
Plaintiffs,)
vs.)
THE COUNTY OF TEHAMA, et al.)
Defendants.)

NO. CIV-S 92 1472 GEB JFM
STIPULATION AND ORDER

The parties hereby agree and stipulate to the following
injunctive orders:

1. Defendants are enjoined from bedding inmates on the floor.
2. The maximum assigned bed capacity at the Jail is 106. The maximum assigned bed capacity at the Work/Education Furlough Facility is 38.

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1 3. Defendants are enjoined from adding beds to the Jail
2 and Work/Education Furlough Facility in each and every housing unit
3 which exists on the date this stipulation is executed.¹

4 4. The Sheriff of Tehama County is authorized by this
5 order to release inmates from the Tehama County Jail and/or the
6 Tehama County Work/Education Furlough Facility whenever said Jail
7 or Work/Education Furlough Facility, or any specific housing unit
8 therein, is within ten percent [10%] of being filled. The Sheriff
9 shall release inmates or refuse to accept newly-committed inmates
10 whenever all beds in said Jail or Work/Education Furlough Facility
11 are filled.

12 5. This stipulation and order shall expire after the new
13 addition to the Tehama County Jail is seventy five percent [75%]
14 occupied under the initial Board of Corrections' "rated" capacity
15 of that new addition.

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27 1. The parties acknowledge that Tehama County is in the process
28 of adding up to sixty additional beds to the Jail and that plans
exist for an additional 300-500 bed facility. This stipulation
does not encompass these or any other additional jail structures
to be built in the future, whether contiguous or attached, that are
not presently within the physical confines of the presently
constructed Jail and/or Work/Education Furlough Facility.

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6. Any party may seek to modify or terminate this stipulation pursuant to the standards set forth in Rufo v. Inmates of Suffolk County Jail, ___ U.S. ___, 112 S.Ct. 748 (1992).

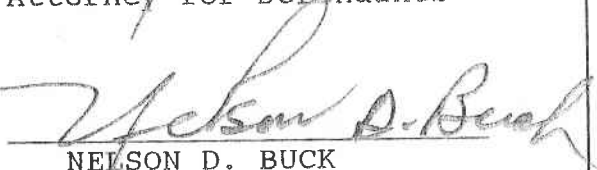
IT IS SO STIPULATED:

DATE: 9/29/92



JOHN HAGAR
Attorney for Defendants

DATE: 9/28/92



NELSON D. BUCK
Attorney for Defendants

DATE: _____

PAUL PERSONS
Attorney for Plaintiffs

ORDER

It is so ordered.

DATE: _____

HONORABLE JOHN F. MOULDS
Chief United States Magistrate Judge
Eastern District of California

PROOF OF PERSONAL SERVICE AND SERVICE BY MAIL

I, JOHN HAGAR, declare:

I am a resident of the County of Los Angeles, California; that I am over the age of eighteen (18) years of age and not a party to the within titled cause of action; that I am employed in the County of Los Angeles, California, as an Attorney at Law.

On September 29, 1992, I served a copy of the attached documents described as **OFFER OF JUDGEMENT and STIPULATION AND ORDER** on the parties of record in said cause by placing a true and correct copy thereof enclosed in a sealed envelope and addressed as follows:

PAUL W. COMISKEY, ESQ.
PRISONERS' RIGHTS UNION
2308 J STREET
SACRAMENTO CA 95812-1019

MARK E. MERIN, ESQ.
DICKSTIEN & MERIN
2001 P STREET
SACRAMENTO CA 95814

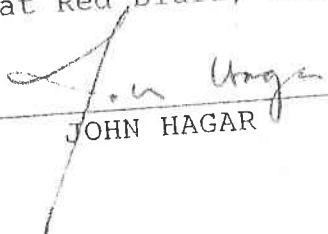
RICHARD P. HERMAN, ESQ.
229 MARINE AVENUE
PO BOX 328
BALBOA ISLAND CA 92662

MICHAEL B. JACKSON, ESQ.
PO BOX 207
QUINCY CA 95971

PAUL PERSONS, ESQ. [BY PERSONAL SERVICE]
1834 ARROYO CANYON
CHICO CA 95928

I am readily familiar with my law office's practice of collection and processing correspondence for mailing. Under that practice, mail is deposited with the U.S. postal service on that same day with postage fully prepaid. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in this affidavit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on September 29, 1992 at Red Bluff, California.



JOHN HAGAR