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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

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13 **RALPH COLEMAN, et al.,**  
14 Plaintiffs,  
15 v.  
16 **ARNOLD SCHWARZENEGGER, et al.,**  
17 Defendants.

2:90-cv-00520 LKK JFM P

**DEFENDANTS' RESPONSE TO  
ORDER TO SHOW CAUSE RE:  
MENTAL HEALTH CRISIS BEDS  
AT CALIFORNIA INSTITUTE  
FOR MEN**

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19 This Court directed the parties to respond to its Order to Show Cause as to why this court  
20 should not require Defendants to continue to operate, on a temporary emergency basis, all mental  
21 health crisis beds within the General Acute Care Hospital (GACH) at the California Institute for  
22 Men (CIM).

23 Defendants do not object to this Court's finding that the continued operation of these mental  
24 health crisis beds is necessary for critically-needed care to be rendered to *Coleman* class  
25 members. Defendants also agree with this Court's finding that these mental health crisis beds  
26 are subject to the injunction issued in the state court decision in *Budd v. Cambra*, San Francisco  
27 Superior Court, Case No. 319578. Defendants submit that both the *Coleman* and *Budd* mandates  
28 to provide appropriate mental health care beds to class members will be met by this Court's

1 order directing Defendants to operate, on a temporary emergency basis, the mental health crisis  
2 beds at CIM-GACH as presently operated and at current staffing levels until further order of this  
3 Court.

4 Dated: February 6, 2009

5 Respectfully submitted,

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10 /s/ *Lisa A Tillman*

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