

# Exhibit A

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

MARCIANO PLATA, et al.,

Plaintiffs,

v.

GAVIN NEWSOM, et al.,

Defendants.

CASE No. 01-1351 JST

**[PROPOSED] ORDER REGARDING  
STAFF TESTING FOR COVID-19**

1 The Joint Case Management Conference Statement filed by the parties on June 8,  
2 2020 states that 194 medically high risk patients were transferred from the California  
3 Institution for Men (CIM) to San Quentin State Prison (SQ) and California State Prison,  
4 Corcoran (CSP-COR) between May 28 and May 30. *See* ECF 3345 at 9-10. The patients  
5 who were transferred had previously tested negative for COVID-19, but in many cases the  
6 tests were done two to three weeks before the transfer. *Id.* Unfortunately, some of those  
7 people tested positive shortly after their arrival at SQ and CSP-COR. *Id.* Prior to the  
8 transfer, SQ had no confirmed cases of COVID-19 in the incarcerated population. *Id.* at  
9 10. The Receiver has since ordered the suspension of all transfers from CIM, and is  
10 reconsidering a testing strategy for all transfers. *Id.* at 9-10.

11 The Receiver has also identified prison staff as the main vector for spreading  
12 COVID-19 in the state prisons, and has recommended that all staff at all institutions be  
13 tested for COVID-19. *Id.* at 3. According to the parties' Statement, "Defendants agree  
14 that staff testing is critical, and are developing a staff-testing plan with assistance and  
15 guidance from the California Department of Public Health." *Id.*

16 Given the urgency of this issue, this Court issued the following order regarding staff  
17 testing for COVID-19 from the bench during the June 9 Case Management Conference.  
18 This written order is issued to memorialize that bench order.

19 **IT IS HEREBY ORDERED:**

20 1. All custodial and medical staff who had contact during the transfer process  
21 with any incarcerated person who transferred from the California Institution for Men  
22 (CIM) and into San Quentin State Prison (SQ) or California State Prison, Corcoran (CSP-  
23 COR) between May 28, 2020 and May 30, 2020 shall be tested for COVID-19 by June 11,  
24 2020.

25 2. All remaining staff at SQ and CSP-COR shall be tested by June 15, 2020.

26 3. Defendants shall produce to Plaintiffs a plan for testing all staff at all prisons  
27 in the California Department of Corrections and Rehabilitation by June 16, 2020.

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IT IS SO ORDERED.

Dated: June \_\_, 2020

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THE HONORABLE JON S. TIGAR  
UNITED STATES DISTRICT COURT  
JUDGE