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

|                                 |             |
|---------------------------------|-------------|
| <b>MARCIANO PLATA, et al.,</b>  | Plaintiffs, |
| <b>v.</b>                       |             |
| <b>EDMUND G. BROWN, et al.,</b> | Defendants. |

Case No. 01-cv-01351-JST  
**[PROPOSED] ORDER RE:  
QUARANTINE AND ISOLATION  
SPACE**

On June 7, 2020, the Court ordered the parties to meet and confer with the Receiver regarding the need for reserved quarantine and isolation space in the prisons if there is an outbreak of COVID-19, and to submit a joint proposed order on that subject, or competing proposed orders on that subject, for the Court’s consideration. On Wednesday, July 15, 2020, the parties submitted competing proposed orders and briefing.

The Court adopts Defendants’ proposed order, which allows the parties an additional two weeks to meet and confer with the Receiver to reach an agreement on a methodology for determining reserved space needs in the prisons. It is clear that this important issue is complex, and that the parties should not be unduly rushed to complete the meet-and-confer process. The additional time will enable to parties and the Receiver to consider important factors that might

1 impact the need for reserved space at each prison, such as the unique layout of each prison, the  
2 specific population in each prison (e.g., the medical acuity or average age of the population at  
3 each institution), the number of patients in each prison who have already contracted and  
4 recovered from COVID-19, the availability of alternative spaces for housing patients (e.g., gyms,  
5 tents, and other buildings that could be readily converted into housing), the possibility of housing  
6 recovered COVID-19 patients with COVID-19 positive patients, the possibility of moving  
7 recovered patients into denser housing arrangements to create more space for isolation and  
8 quarantine patients in other locations, and the impact that the development of a safe transfer  
9 protocol would have on the ability to transfer patients to locations with more space.

10 Additional time will also allow the parties and the Receiver to obtain input from multiple  
11 public health experts, and it will allow the parties to consider the impact of the newly announced  
12 releases on the population levels in the prisons and the need for reserved spaces.

13 Accordingly, the Court orders that the parties shall continue to meet and confer with the  
14 Receiver regarding the subject of the need for reserved isolation and quarantine spaces in  
15 CDCR's prisons. If the parties are unable to reach an agreement concerning reserved space  
16 needs, then the Court may request that the parties submit additional briefing and evidence on the  
17 subject and consider whether an order regarding reserved space needs in the prisons can or should  
18 be made.

19 IT IS SO ORDERED

20  
21 Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Jon S. Tigar