

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCIANO PLATA, et al.,
Plaintiffs,
v.
GAVIN NEWSOM, et al.,
Defendants.

Case No. 01-cv-01351-JST

**ORDER SETTING DEADLINES TO
SET ASIDE ISOLATION AND
QUARANTINE SPACE**

On July 22, 2020, the Court ordered Defendants to set aside isolation and quarantine space at each institution to help manage the spread of COVID-19. ECF No. 3401. As of the September 2, 2020 deadline, Defendants had complied with the order as to only twenty-two prisons. ECF No. 3439-2 ¶ 1. They requested an extension of time to September 25, 2020, at ten prisons and to October 31, 2020, at the remaining three prisons. ECF No. 3439. In granting Defendants' request in part, the Court "direct[ed] the Receiver to meet and confer with the parties, and to include public health experts as appropriate, to identify an expedited timeline for preparing all identified isolation and quarantine space for occupancy." ECF No. 3442 at 2. The Court directed the parties to file a stipulation and proposed order by September 16, 2020, if they could reach agreement, or directed the Receiver to file a proposed timeline by the same date if the parties could not agree. *Id.*

The parties were unable to reach agreement. Defendants have represented that, as of September 15, 2020, they had prepared the identified isolation and quarantine space at eight additional prisons, leaving only five prisons outstanding: Avenal State Prison ("ASP"), Chuckawalla Valley State Prison ("CVSP"), Valley State Prison ("VSP"), California State Prison, Los Angeles County ("LAC"), and California Medical Facility ("CMF"). ECF No. 3447-1 ¶ 3.

1 They proposed deadlines of September 22 for ASP, September 28 for CVSP and VSP, and
 2 October 13 for LAC and CMF. *Id.* Plaintiffs stated that they would be amenable to the proposed
 3 deadlines only “if tents are available for isolation and quarantine for the five remaining prisons
 4 during the period before the transfers are complete.” *Id.* ¶ 4. The Receiver recommends adopting
 5 Defendants’ proposed timeline and emphasizes “that if additional space appears to be needed at
 6 any of these institutions in the interim, tents can and will be installed at such institutions within 72
 7 hours as required by CDCR’s existing contract for the provision of tents.” ECF No. 3447 at 3.
 8 Plaintiffs have not argued, or attempted to demonstrate, that the 72-hour period for installing any
 9 necessary tents is inadequate for the interim period before the proposed deadlines.

10 Accordingly, the Receiver’s recommendation is adopted. Defendants shall complete
 11 preparing the identified quarantine and isolation space for occupancy no later than September 22
 12 for ASP, September 28 for CVSP and VSP, and October 13 for LAC and CMF. They shall work
 13 with the Receiver to complete these moves as expeditiously as possible, consistent with public
 14 health guidance.

15 **IT IS SO ORDERED.**

16 Dated: September 22, 2020

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 18 JON S. TIGAR
 United States District Judge