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2 California Department of Corrections and Rehabilitation (“CDCR”) to file and serve a Public  
3 Records Act exemption log and to file withheld documents under seal for *in camera* review by  
4 the Court. After considering the parties’ letter briefs and supporting papers, oral argument, and  
5 CDCR’s decision to extend the public comment period on its proposed lethal injection regulations  
6 by 31 days, to February 22, 2016, the Court adopts the following schedule:

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10 the Court. After considering the parties’ letter briefs and supporting papers, oral argument, and  
11 CDCR’s decision to extend the public comment period on its proposed lethal injection regulations  
12 by 31 days, to February 22, 2016, the Court adopts the following schedule:

13 **January 21, 2016**

14 1. If CDCR determines in the course of its review that certain responsive records are not  
15 exempt, it shall make those records available to Petitioner American Civil Liberties Union  
16 of Northern California (“ACLU-NC”) without delay, and in no event later than January 21,  
17 2016.

18 **January 22, 2016**

19 2. CDCR may file and serve a supplemental brief of up to 15 pages.

20 3. CDCR is ordered to file and serve an exemption log listing all withheld, responsive  
21 records. The exemption log shall be in the format specified in the Court’s order dated  
22 December 11, 2015. As provided in that order, the information in the log should include  
23 dates, subject matter, authors and recipients, as well as an explanation of the need for non-  
24 disclosure. If such information would reveal the exempt information, that portion of the  
25 explanation may be redacted from the log provided to ACLU-NC.

26 4. CDCR is ordered to file under seal all withheld, responsive records for *in camera* review  
27 by the Court. The records shall be indexed, tabbed and organized as specified in the  
28 Court’s order dated December 11, 2015.

1 **February 1, 2016**

2 5. Petitioner ACLU-NC may file and serve a supplemental brief of up to 15 pages.

3 **February 10, 2016**

4 6. 9:00 a.m. hearing in Courtroom E. The Court will endeavor to issue its decision on  
5 CDCR's claimed exemptions, and any issues properly raised by the parties in their  
6 supplemental briefs, on February 10, 2016 or February 11, 2016. A party wishing to have a  
7 transcript of the hearing must make arrangements for a court reporter.

8 Other than resetting the schedule as set forth above, nothing in this scheduling order is intended to  
9 alter or amend the Court's order of December 11, 2015.

10 **DATED:** \_\_\_\_\_

**SO ORDERED.**

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\_\_\_\_\_  
Judge of the Superior Court

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**DECLARATION OF SERVICE BY E-MAIL and U.S. Mail**

Case Name: **ACLU of Northern California v. CDCR**  
No.: **CV1504195**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

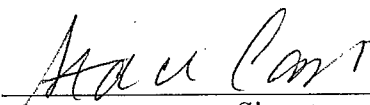
On December 30, 2015, I served the attached **[PROPOSED] ORDER RE: SCHEDULING** by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, addressed as follows:

David H. Fry, Partner  
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Twenty Seventh Floor  
San Francisco, CA 94105  
**E-mail Address:**  
[David.Fry@mto.com](mailto:David.Fry@mto.com)  
[Achyut.Phadke@mto.com](mailto:Achyut.Phadke@mto.com)

Linda Lye  
ACLU of No. California  
39 Drumm Street, 2nd Floor  
San Francisco, CA 94111  
**E-mail Address:** [llye@aclunc.org](mailto:llye@aclunc.org)

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on December 30, 2015, at San Francisco, California.

\_\_\_\_\_  
Staci Caston  
Declarant

  
\_\_\_\_\_  
Signature