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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
STATE OF CALIFORNIA, et al.,
Defendants.

No. 2:18-cv-0490-JAM-KJN

ORDER

The court's prior March 14, 2018 order (ECF No. 20) is CLARIFIED as follows:

1. Prior to the March 19, 2018 filing of the joint letter brief, the parties are expected to meet and confer in good faith with respect to the expedited discovery issues, which should include voice-to-voice dialogue.
2. To initiate such meet-and-confer efforts, the State of California shall promptly identify and provide to the United States what specific expedited discovery is sought and why it believes it satisfies the relevant standards for expedited discovery. The parties shall then meet and confer regarding the specific expedited discovery sought to identify whether agreements or stipulations can be reached, and what specific disputed issues remain. Even if the United States believes that no expedited discovery is warranted, it shall consider and discuss what specific expedited discovery is appropriate and

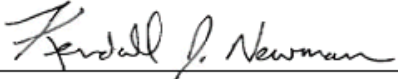
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feasible, in the event that the court ultimately concludes that some expedited discovery is necessary.¹

3. The parties shall then cooperatively prepare the joint letter brief. The purpose of a joint letter brief is not for the parties to separately prepare their respective portions and paste them together in a single document. Instead, the joint letter brief shall be a product of the parties' cooperation and organized on an issue-by-issue basis, setting forth each party's respective arguments immediately below each identified issue. It shall also reflect any agreements or stipulations the parties may have reached.
4. The joint letter brief shall not exceed 10 pages, in Times New Roman pt. 12 or equivalent font.

IT IS SO ORDERED.

Dated: March 15, 2018


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

¹ The court declines to set any specific deadlines for the exchange of information and meet-and-confer discussions, although the deadlines proposed by the United States in an e-mail sent to the undersigned's courtroom deputy clerk on March 15, 2018, at 10:11 a.m., on which all parties were copied, do not appear unreasonable.