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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARCIANO PLATA, et al.,

Plaintiffs

v.

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

No. C01-1351 TEH

PLAINTIFFS' RESPONSE TO  
RECEIVER'S MOTION FOR A  
WAIVER OF STATE LAW

Plaintiffs support the Receiver's Motion For Waiver A Waiver Of State Law, filed September 12, 2006, and request that the Court promptly grant it. The relief sought, for the reasons explained in the Motion, is fundamentally important in order to timely remedy

Pltffs' Response To Receiver's  
Motion For Waiver of State Law

1 the unconstitutional medical care delivery system in California's prisons.

2 The Court when granting relief should make the findings required by 18 U.S.C.  
3 section 3626(a)(1)(A) and, if the relief "otherwise violates State . . . law," indicate that it  
4 has considered the factors set forth in 18 U.S.C. section 3626(a)(1)(B). The facts  
5 supporting the required findings are well-documented in the Receiver's motion.

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7 Dated: September 25, 2006

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9 Respectfully submitted,

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Steven Fama  
Attorney for Plaintiffs

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DECLARATION OF SERVICE BY MAIL

Case Name: Plata et al., Plaintiffs v. Schwarzenegger et al., Defendants.  
United States District Court  
Northern District of California No. C-01-1351 T.E.H.

I am employed in the County of Marin, California. I am over the age of 18 years and not a party to the within entitled cause: my business address is Prison Law Office, General Delivery, San Quentin, California 94964.

On September 25, 2006, I served the attached:

**PLAINTIFFS' RESPONSE TO RECEIVER'S MOTION  
FOR A WAIVER OF STATE LAW**

in said cause, placing, or causing to be placed, a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid in the United States Mail at San Rafael, California, addressed as follows:

Jonathan Wolff  
Deputy Attorney General  
Office of the Attorney General  
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San Francisco, CA 94102

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Law Library, CA 94102

Paul B. Mello  
Hanson Bridgett Marcus Vlahos & Rudy, LLP  
333 Market Street, 21<sup>st</sup> Floor  
San Francisco, CA 94105

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed at San Rafael, California on September 25, 2006.

