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EXHIBIT C

Attorneys for Defendants COUNTY OF SUTTER  
and SHERIFF ARTHUR R. BRANDWOOD

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEMPSEY W. HALLER, et al.	)	NO. CIV-S-93-1256 DFL PAN (P)
	)	
Plaintiffs,	)	STIPULATION RE POPULATION
	)	LIMITS, ORDER
vs.	)	
	)	
THE COUNTY OF SUTTER, et al.	)	
	)	
Defendants.	)	

7

1 The parties hereby agree and stipulate to the following  
2 injunctive orders:

3 1. This action shall proceed as a class action pursuant to  
4 Federal Rules of Civil Procedure, Rule 23b.

5 2. Defendants are enjoined from bedding inmates on the floor.

6 3. The maximum assigned bed capacities for each housing unit  
7 of the Sutter County Jail are set forth below:

8 Unit I - 8 beds

9 Unit MPS - 24 beds\*

10 Unit MS - 24 beds\*

11 Medical Sheltered Living - 3 beds

12 Kitchen Trustee Unit - 8 beds

13 FPC - 4 beds

14 FPS - 6 beds\*

15 FS - 10 beds\*

16 FJ - 4 beds

17 Jail Dormitory - 62 beds\*

18 4. Defendants may operate, if conditions warrant, housing  
19 units MPS, MS, FPS, and FS at two beds above the capacity defined  
20 in paragraph 3. Defendants may operate, if conditions warrant, the  
21 Jail Dormitory with as many as six beds above the capacity defined  
22 in paragraph 3. Defendants shall not house inmates in MPS, MS,  
23 FPS, FS, and the Jail Dormitory above the capacities agreed to in  
24 paragraph 3 unless beds of like classification are not available in  
25 other housing units. In the event units MPS, MS, FPS, FS, and the  
26 Jail Dormitory are operated above the capacity set forth in  
27 paragraph 3, outdoor recreation will be provided for those units  
28

1 operating above the capacity set forth in paragraphs 3 for at least  
2 one hour per day, five days per week. In no event will any housing  
3 unit operate above its paragraph 3 capacity for more than 14  
4 consecutive days and, in no event will the total Jail bed capacity  
5 exceed by 14 beds the total capacity set forth in paragraph 3,  
6 except that except that Defendants may operate the Jail Dormitory  
7 at its existing bed capacity of 88 beds until the Minimum Facility  
8 presently under construction is operational.<sup>1</sup>

9 5. The prohibition against floorsleepers is effective  
10 immediately. The population limits set forth in paragraphs 3 and  
11 4 shall be effective forty five [45] days from the date that this  
12 Order is approved by the District Court.

13 6. Defendants are enjoined from adding beds to the Main Jail  
14 in each and every housing unit which exists on the date that this  
15 stipulation is executed.<sup>2</sup>

16 7. The Sheriff of Sutter County is authorized by this order  
17 to release inmates from the Sutter County Jail whenever the Sutter  
18 County Jail, or any specific housing unit therein, is within ten  
19 percent [10%] of being filled. The Sheriff shall release inmates  
20 or refuse to accept newly-committed inmates whenever all beds in  
21 the Jail are filled, or whenever any specific housing unit within  
22 the Jail is filled.

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23  
24 1. "Operational" is defined, for the purposes of this stipulation,  
25 as being 50% occupied under the rated capacity assigned by the  
California Board of Corrections.

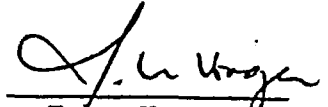
26 2. This stipulation does not encompass any additional jail  
27 structures to be built in the future, whether contiguous or  
28 attached, that are not presently within the physical confines of  
the presently constructed Jail. This stipulation does not limit  
the capacity of the Minimum Facility presently under construction.

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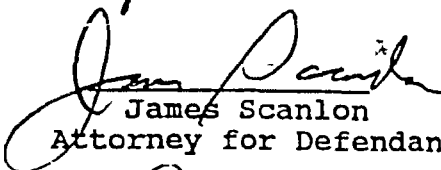
8. Either party may seek to modify or terminate this stipulation pursuant to the standards set forth in Rufo v. Inmates of Suffolk County Jail, \_\_\_ U.S. \_\_\_, 112 S.Ct. 748 (1992).

IT IS SO STIPULATED:


DATE: 9/8/93

  
John Hagar  
Attorney for Defendants

DATE: 9/13/93

  
James Scanlon  
Attorney for Defendants

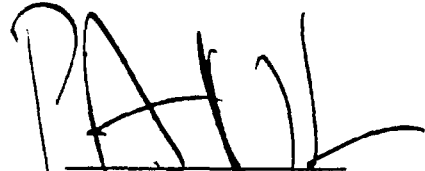
DATE: 9/9/93

  
Paul Persons  
Attorney for Plaintiffs

ORDER

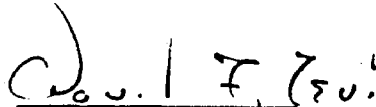
It is so recommended.

DATE: 9-15-93

  
Honorable Peter A. Nowinski  
United States Magistrate Judge  
Eastern District of California

It is so ordered.

DATE: 9-15-93

  
Honorable David F. Levi  
United States District Judge  
Eastern District of California