

ADRMOP,APPEAL,CONSENT,PROTO,REFSET-LB

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:19-cv-02724-SK**

Norbert et al v. San Francisco Sheriff's Department et al
Assigned to: Magistrate Judge Sallie Kim
Referred to: Magistrate Judge Laurel Beeler (Settlement)
Demand: \$100,000
Case in other court: 9th Circuit, 20-15341
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 05/20/2019
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Kenyon Norbert

represented by **Yolanda Huang**
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Plaintiff

Montrail Brackens

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Plaintiff

Jose Poot

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Plaintiff

Marshall Harris

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Plaintiff

Armando Carlos

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Plaintiff

Michael Brown

represented by **Yolanda Huang**
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Plaintiff

Troy McAllister
*on behalf of themselves individually and
others similarly situated, as a class and
Subclass*

represented by **Yolanda Huang**
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V.

Defendant

San Francisco Sheriff's Department

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Defendant

City and County of San Francisco

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Defendant

Vicki Hennessy
San Francisco Sherifff

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Kaitlyn M. Murphy
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ATTORNEY TO BE NOTICED

Margaret W. Baumgartner
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ATTORNEY TO BE NOTICED

Defendant

Paul Miyamoto
San Francisco Chief Deputy Sheriff

represented by **Sabrina Michelle Berdux**
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ATTORNEY TO BE NOTICED

Kaitlyn M. Murphy
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Margaret W. Baumgartner
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ATTORNEY TO BE NOTICED

Defendant

Captain Jason Jackson

represented by **Sabrina Michelle Berdux**
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Kaitlyn M. Murphy
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Margaret W. Baumgartner
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Defendant

Captain McConnell

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Kaitlyn M. Murphy
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Amicus

Jonathan Abel

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Date Filed	#	Docket Text
05/20/2019	<u>1</u>	CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND DAMAGES: (1) <i>Cruel and Unusual Denial of Outdoor Recreation: Violations of 8th and 14th amendments of U.S. Constitution and Article I, Sections 7 and 17 of the California Constitution</i> , 15 CCR 1065; (2) <i>Cruel and Unusual Imposition of Confinement and Denial of Out of Cell Time: Violations of 8th and 14th amendments of U.S. Constitution and Article I, Sections 7 and 17 of the California Constitution and 15 CCR 1065</i> ; Jury Trial Demanded against All Defendants, (Filing Fee: \$400.00, receipt number 0971-13361834). Filed by Kenyon M. Norbert, Jr. (Attachments: # <u>(1)</u> Civil Cover Sheet)(Huang, Yolanda) (Filed on 5/20/2019) Modified on 5/21/2019 (tnS, COURT STAFF). (Entered: 05/20/2019)
05/20/2019	2	Case assigned to Magistrate Judge Sallie Kim. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening . Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 6/3/2019. (bwS, COURT STAFF) (Filed on 5/20/2019) (Entered: 05/20/2019)
05/21/2019	<u>3</u>	Initial Case Management Scheduling Order with ADR Deadlines: Joint Case Management Statement due by 8/12/2019. Initial Case Management Conference set for 8/19/2019 at 1:30 PM in San Francisco, Courtroom C, 15th Floor. (tnS, COURT STAFF) (Filed on 5/21/2019) (Entered: 05/21/2019)
05/23/2019	<u>4</u>	Proposed Summons. (Huang, Yolanda) (Filed on 5/23/2019) (Entered: 05/23/2019)
05/24/2019	<u>5</u>	Summons Issued as to Defendants City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto & San Francisco Sheriff's Department. (tnS, COURT STAFF) (Filed on 5/24/2019) (Entered: 05/24/2019)
06/06/2019	<u>6</u>	<i>Consent to Magistrate Judge Jurisdiction</i> filed by Kenyon Norbert. (Huang, Yolanda) (Filed on 6/6/2019) (Entered: 06/06/2019)
06/18/2019	<u>7</u>	NOTICE of Appearance by Margaret W. Baumgartner – <i>NOTICE OF APPEARANCE OF COUNSEL</i> (Baumgartner, Margaret) (Filed on 6/18/2019) (Entered: 06/18/2019)
06/27/2019	<u>8</u>	NOTICE OF MOTION & MOTION for Preliminary Injunction and Related Relief filed by Kenyon Norbert. Motion Hearing set for 8/5/2019 09:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Responses due by 7/11/2019. Replies due by 7/18/2019. (Attachments: # <u>1</u> Supplement Memorandum of Points & Authorities, # <u>2</u> Affidavit Declaration of Dr. Terry Kupers, # <u>3</u> Affidavit Declaration of Dr. Jamie Zeitzer, # <u>4</u> Affidavit Declaration of Armando Carlos, # <u>5</u> Affidavit Declaration of Montrail Brackens, # <u>6</u> Affidavit Declaration of Marshall Harris, # <u>7</u> Affidavit Declaration of James McFarland, # <u>8</u> Affidavit Declaration of Kenyon Norbert, # <u>9</u> Affidavit Declaration of Jose Poot, # <u>10</u> Affidavit Declaration of Candido Zayas, # <u>11</u> Affidavit Declaration of Yolanda Huang)(Huang, Yolanda) (Filed on 6/27/2019) (Entered: 06/27/2019)
07/01/2019	<u>9</u>	CLERK'S NOTICE Re: Consent or Declination: Defendants shall file a consent or declination to proceed before a magistrate judge by 7/8/2019. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: http://cand.uscourts.gov/civilforms . (mklS, COURT STAFF) (Filed on 7/1/2019) (Entered: 07/01/2019)
07/08/2019	<u>10</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto, San Francisco Sheriff's Department.. (Baumgartner, Margaret) (Filed on 7/8/2019) (Entered: 07/08/2019)

07/11/2019	<u>11</u>	OPPOSITION/RESPONSE (re <u>8</u> MOTION for Preliminary Injunction) <i>OPPOSITION AND MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION</i> filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto, San Francisco Sheriff's Department. (Attachments: # <u>1</u> Declaration Kevin McConnell, # <u>2</u> Declaration Matthew Freeman, # <u>3</u> Exhibit Exhibit A to Matthew Freeman Declaration)(Baumgartner, Margaret) (Filed on 7/11/2019) (Entered: 07/11/2019)
07/18/2019	<u>12</u>	REPLY (re <u>8</u> MOTION for Preliminary Injunction) filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Attachments: # <u>1</u> Declaration Dr. Terry Kupers, # <u>2</u> Declaration Armando Carlos, # <u>3</u> Declaration Yolanda Huang)(Huang, Yolanda) (Filed on 7/18/2019) (Entered: 07/18/2019)
07/19/2019	<u>13</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options <i>filed by Plaintiffs</i> (Huang, Yolanda) (Filed on 7/19/2019) (Entered: 07/19/2019)
07/19/2019	<u>14</u>	NOTICE of Appearance by Sabrina Michelle Berdux – <i>NOTICE OF APPEARANCE OF COUNSEL</i> (Berdux, Sabrina) (Filed on 7/19/2019) (Entered: 07/19/2019)
07/22/2019	<u>15</u>	<i>STIPULATION TO EXTEND TIME TO RESPOND TO 1 COMPLAINT</i> filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto, San Francisco Sheriff's Department. (Berdux, Sabrina) (Filed on 7/22/2019) (Entered: 07/22/2019)
07/23/2019	<u>16</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options <i>ADR CERTIFICATION BY PARTIES AND COUNSEL</i> (Berdux, Sabrina) (Filed on 7/23/2019) (Entered: 07/23/2019)
07/23/2019	<u>17</u>	REPLY (re <u>8</u> MOTION for Preliminary Injunction) – <i>[Correction of Docket 12] – (Memorandum of Points and Authorities)</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 7/23/2019) (Entered: 07/23/2019)
07/25/2019	<u>18</u>	ORDER REGARDING JUDICIAL SITE VISITS. Telephone Conference set for 8/1/2019 08:00 AM in San Francisco, Chambers/Courtroom C before Magistrate Judge Sallie Kim. Signed by Magistrate Judge Sallie Kim on 7/25/2019. (mkls, COURT STAFF) (Filed on 7/25/2019) (Entered: 07/25/2019)
08/01/2019	19	Minute Entry for proceedings held before Magistrate Judge Sallie Kim: Telephone Conference held on 8/1/2019. The Court and counsel discuss scheduling and logistics for the site visits. Counsel shall continue to meet and confer regarding the video recording and accessibility of the materials after the site visits. If there are still outstanding issues, each side may file a four page letter brief by 8/9/2019 and the Court will resolve it. The audio recording of this proceeding is sealed by the Court. (Sealed FTR Time: 8:01-8:13.) Attorney for Plaintiffs: Yolanda Huang. Attorney for Defendants: Sabrina Berdux; Margaret Baumgartner. (This is a text-only entry generated by the court. There is no document associated with this entry.) (mkls, COURT STAFF) (Date Filed: 8/1/2019) Modified on 8/5/2019 (mkls, COURT STAFF). (Entered: 08/01/2019)
08/01/2019	<u>20</u>	*Document Sealed at the Court's direction.* <i>STIPULATION WITH PROPOSED ORDER re 3 Initial Case Management Scheduling Order with ADR Deadlines, To Continue Case Management Conference and Extend Accompanying Dates</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 8/1/2019) Modified on 8/2/2019 (mkls, COURT STAFF). (Entered: 08/01/2019)
08/05/2019	21	Minute Entry for proceedings held before Magistrate Judge Sallie Kim: Motion Hearing held on 8/5/2019 re 8 MOTION for Preliminary Injunction filed by Kenyon Norbert. Argument heard. The Court may order further briefing after the site visits are completed. (FTR Time: 10:18-10:44.) Attorney for Plaintiffs: Yolanda Huang.

		Attorneys for Defendants: Kaitlyn Murphy; Sabrina Berdux; Margaret Baumgartner. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Date Filed: 8/5/2019) Modified on 3/4/2020: Matter transcribed by Peggy Schuerger (AdHoc Reporting). (rjdS, COURT STAFF). (Entered: 08/05/2019)
08/05/2019	<u>22</u>	ORDER by Magistrate Judge Sallie Kim granting <u>20</u> Stipulation to Continue Case Management Conference and Extend Accompanying Dates. Case Management Statement due by 9/23/2019. Initial Case Management Conference reset for 9/30/2019 01:30 PM in San Francisco, Courtroom C, 15th Floor. (mklS, COURT STAFF) (Filed on 8/5/2019) (Entered: 08/05/2019)
08/07/2019	<u>23</u>	PDF with attached Audio File. Court Date & Time [8/5/2019 10:17:58 AM]. File Size [12536 KB]. Run Time [00:26:07]. (courtspeak). (Entered: 08/07/2019)
08/09/2019	<u>25</u>	*Document Sealed at the Court's direction.* Letter from Plaintiffs <i>RE: VIDEO, AUDIO PHOTOGRAPHIC RECORDINGS OF JUDICIAL SITE VISIT OF SAN FRANCISCO COUNTY JAIL 4 AND COUNTY JAIL 5.</i> (Attachments: # <u>1</u> Proposed Order <i>RE: VIDEO, AUDIO PHOTOGRAPHIC RECORDINGS OF JUDICIAL SITE VISIT OF SAN FRANCISCO COUNTY JAIL 4 AND COUNTY JAIL 5</i>)(Huang, Yolanda) (Filed on 8/9/2019) Modified on 8/13/2019 (mklS, COURT STAFF). (Entered: 08/09/2019)
08/12/2019	<u>26</u>	ORDER REGARDING PROTECTIVE ORDER. Signed by Magistrate Judge Sallie Kim on 8/12/2019. (mklS, COURT STAFF) (Filed on 8/12/2019) (Entered: 08/12/2019)
08/13/2019	<u>27</u>	*Document Sealed at the Court's direction.* Letter from Plaintiffs <i>Supplemental Re Site Visit.</i> (Huang, Yolanda) (Filed on 8/13/2019) Modified on 8/13/2019 (mklS, COURT STAFF). Modified on 8/13/2019 (mklS, COURT STAFF). (Entered: 08/13/2019)
08/14/2019	28	CLERK'S NOTICE Setting Telephone Conference: Notice is given that a Telephone Conference is set for 8/15/2019 08:00 AM in San Francisco, Chambers before Magistrate Judge Sallie Kim. The Court will circulate dial-in information to counsel through separate email. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Filed on 8/14/2019) (Entered: 08/14/2019)
08/15/2019	29	Minute Entry for proceedings held before Magistrate Judge Sallie Kim: Telephone Conference held on 8/15/2019. The Court and counsel discuss further logistics for the site visits. The audio recording of this proceeding is sealed by the Court. (Sealed FTR Time: 8:01-8:10.) Attorney for Plaintiffs: Yolanda Huang. Attorney for Defendants: Sabrina Berdux. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Date Filed: 8/15/2019) (Entered: 08/15/2019)
08/19/2019	30	CLERK'S NOTICE Setting Telephone Conference: Notice is given that a Telephone Conference is set for 8/22/2019 08:00 AM in San Francisco, Chambers before Magistrate Judge Sallie Kim. The Court will circulate dial-in information to counsel by separate email. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Filed on 8/19/2019) (Entered: 08/19/2019)
08/22/2019	31	Minute Entry for proceedings held before Magistrate Judge Sallie Kim: Telephone Conference held on 8/22/2019. The Court and counsel discuss follow up issues from the site visits. A written order will issue. (FTR Time: 8:01-8:16.) Attorney for Plaintiff: Yolanda Huang. Attorneys for Defendants: Sabrina Berdux; Kaitlyn Murphy.

		<i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Date Filed: 8/22/2019) (Entered: 08/22/2019)
08/22/2019	<u>32</u>	ORDER ESTABLISHING EVIDENTIARY PROCEDURES. Evidentiary Hearing tentatively set for 10/9/2019 09:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Signed by Magistrate Judge Sallie Kim on 8/22/2019. (mklS, COURT STAFF) (Filed on 8/22/2019) (Entered: 08/22/2019)
08/26/2019	<u>33</u>	Letter <i>Re Modifications to Scheduling On Evidentiary Procedures</i> . (Attachments: # <u>1</u> Proposed Order Modifying Schedule Re: Preliminary Injunction Motion Dates)(Huang, Yolanda) (Filed on 8/26/2019) (Entered: 08/26/2019)
08/28/2019	<u>34</u>	ORDER MODIFYING EXPERT WITNESS SCHEDULE. Evidentiary Hearing reset for 10/23/2019 09:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Signed by Magistrate Judge Sallie Kim on 8/28/2019. (mklS, COURT STAFF) (Filed on 8/28/2019) (Entered: 08/28/2019)
08/28/2019	<u>35</u>	RESPONSE re <u>32</u> Order,, Set Hearings, <i>Plaintiffs' Proposed Questions to Defendant San Francisco County Sheriff's Department</i> by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 8/28/2019) (Entered: 08/28/2019)
08/29/2019	<u>36</u>	QUESTIONS TO DEFENDANTS REGARDING JAIL SITE VISITS. Signed by Magistrate Judge Sallie Kim on 8/29/2019. (mklS, COURT STAFF) (Filed on 8/29/2019) (Entered: 08/29/2019)
08/30/2019	<u>37</u>	<i>DEFENDANTS NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFFS COMPLAINT</i> filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto. Motion Hearing set for 10/7/2019 09:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Responses due by 9/13/2019. Replies due by 9/20/2019. (Berdux, Sabrina) (Filed on 8/30/2019) (Entered: 08/30/2019)
09/04/2019	<u>38</u>	ORDER SETTING HEARING DATE as to <u>8</u> MOTION for Preliminary Injunction and <u>37</u> MOTION to Dismiss <i>DEFENDANTS NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFFS COMPLAINT</i>. Motion Hearing set for 11/18/2019 01:30 PM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Signed by Magistrate Judge Sallie Kim on 9/4/2019. (mklS, COURT STAFF) (Filed on 9/4/2019) (Entered: 09/04/2019)
09/04/2019	<u>39</u>	Discovery Letter Brief for <i>Extension for Responses to Questions Regarding Jail Site Visits</i> filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto. (Berdux, Sabrina) (Filed on 9/4/2019) (Entered: 09/04/2019)
09/05/2019	<u>40</u>	ORDER APPROVING EXTENSION FOR DEFENDANTS' RESPONSE TO QUESTIONS RE: SITE VISITS. Signed by Magistrate Judge Sallie Kim on 9/5/2019. (mklS, COURT STAFF) (Filed on 9/5/2019) (Entered: 09/05/2019)
09/10/2019	<u>41</u>	Supplemental Response Regarding Defendants' Request for Protective Order Re Site Visit Photos and Videos re <u>32</u> Order – <i>Reply Re Proposed Protective Order for Photos and Videos Taken During Site Visit</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit Exhibit A– Gmail from Sabrina Berdux)(Related document(s) <u>32</u>) (Huang, Yolanda) (Filed on 9/10/2019) (Entered: 09/10/2019)
09/12/2019	<u>42</u>	Letter Brief re <u>36</u> Order filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto. (Attachments: # <u>1</u> Exhibit A (Redacted))(Related document(s) <u>36</u>) (Berdux, Sabrina) (Filed on 9/12/2019) (Entered: 09/12/2019)
09/12/2019	<u>43</u>	Administrative Motion to File Under Seal <i>Exhibit A to Letter Brief</i> filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto, San Francisco Sheriff's Department. (Attachments: # <u>1</u> Declaration Sabrina M. Berdux, # <u>2</u> Proposed Order, # <u>3</u> Exhibit A (Redacted), # <u>4</u> Exhibit A (Not

		Redacted))(Berdux, Sabrina) (Filed on 9/12/2019) (Entered: 09/12/2019)
09/13/2019	<u>44</u>	OPPOSITION/RESPONSE to (re <u>37</u> DEFENDANTS' NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFFS COMPLAINT) filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 9/13/2019) (Entered: 09/13/2019)
09/16/2019	<u>45</u>	ORDER REGARDING MOTION TO FILE UNDER SEAL by Magistrate Judge Sallie Kim; granting in part and denying in part <u>43</u> Administrative Motion to File Under Seal. (tlS, COURT STAFF) (Filed on 9/16/2019) (Entered: 09/16/2019)
09/16/2019	<u>46</u>	Ex Parte Application for Leave to File a Motion for Reconsideration of Portions of this Court's Order re <u>45</u> Order on Administrative Motion to File Under Seal <i>For Leave to File Motion for Reconsideration of Dkt 45</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Attachments: #(1) Declaration of Yolanda Huang)(Huang, Yolanda) (Filed on 9/16/2019) (Entered: 09/16/2019)
09/16/2019	<u>47</u>	[Proposed] Order Granting re <u>46</u> Ex Parte Application for Leave to File a Motion for Reconsideration of Portions of re <u>45</u> Order on Administrative Motion to File Under Seal <i>For Leave to File Motion for Reconsideration of Dkt 45</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 9/16/2019) (Entered: 09/16/2019)
09/17/2019	<u>48</u>	PROTECTIVE ORDER. Signed by Judge Sallie Kim on 9/17/2019. (tlS, COURT STAFF) (Filed on 9/17/2019) (Entered: 09/17/2019)
09/18/2019	<u>49</u>	ORDER GRANTING LEAVE TO FILE MOTION FOR RECONSIDERATION by Magistrate Judge Sallie Kim; granting <u>46</u> Ex Parte Application. Plaintiff's Motion for Reconsideration due by 9/24/2019. (tlS, COURT STAFF) (Filed on 9/18/2019) (Entered: 09/18/2019)
09/20/2019	<u>50</u>	ORDER. Signed by Magistrate Judge Sallie Kim on 9/20/19. (sklc2S, COURT STAFF) (Filed on 9/20/2019) (Entered: 09/20/2019)
09/20/2019	<u>51</u>	REPLY (re <u>37</u> DEFENDANTS NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFFS COMPLAINT) – <i>REPLY IN SUPPORT OF DEFENDANTS MOTION TO DISMISS PLAINTIFFS COMPLAINT (Dkt. 37)</i> filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto. (Berdux, Sabrina) (Filed on 9/20/2019) (Entered: 09/20/2019)
09/23/2019	<u>52</u>	ADMINISTRATIVE MOTION for Reconsideration and Modification of this Court's Order re <u>48</u> Protective Order Re: Defendants Request to File Under Seal Defendants' Responses (Dkt. 42–1) filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. Responses due by 9/27/2019. (Attachments: #(1) [Proposed] Order)(Huang, Yolanda) (Filed on 9/23/2019) (Entered: 09/23/2019)
09/23/2019	<u>53</u>	JOINT CASE MANAGEMENT STATEMENT and [Proposed] Order filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 9/23/2019) (Entered: 09/23/2019)
09/27/2019	<u>54</u>	OPPOSITION/RESPONSE to (re <u>52</u> ADMINISTRATIVE MOTION to Modify Order Dkt 48 re <u>48</u> Protective Order) – <i>OPPOSITION TO ADMINISTRATIVE MOTION MODIFY ORDER DKT 48 RE <u>48</u> PROTECTIVE ORDER (DKT. #52)</i> filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto. (Attachments: #(1) Declaration Kevin McConnell)(Berdux, Sabrina) (Filed on 9/27/2019) (Entered: 09/27/2019)
09/30/2019	<u>55</u>	REVISED ORDER REGARDING <u>43</u> MOTION TO FILE UNDER SEAL by Magistrate Judge Sallie Kim (Re: <u>52</u> Administrative Motion for Reconsideration). (mkls, COURT STAFF) (Filed on 9/30/2019) (Entered: 09/30/2019)
09/30/2019	56	Minute Entry for proceedings held before Magistrate Judge Sallie Kim: Initial Case Management Conference held on 9/30/2019. The parties will meet and confer to submit a stipulation to the Court by 10/7/2019 regarding the

		confidentiality of specific photographs from the site visits. Parties are also trying to come to an agreement regarding the blood draw issue. The Court sets the following briefing schedule, if the parties are unable to come to an agreement: Plaintiffs' opening brief due by 10/15/2019; Defendants' response due by 10/29/2019; Plaintiffs' reply due 11/12/2019. With regarding to the case schedule, the Court will allow Plaintiffs to submit proposed dates by 10/1/2019. If there are case management issues to be discussed at the next hearing on 10/23/2019 the parties may provide a one-page update to the Court by 10/21/2019. (FTR Time: 1:37-1:49.) Attorney for Plaintiffs: Yolanda Huang. Attorney for Defendants: Sabrina Berdux; Kaitlyn Murphy. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Date Filed: 9/30/2019) (Entered: 09/30/2019)
09/30/2019	<u>57</u>	JOINT CASE MANAGEMENT STATEMENT filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 9/30/2019) (Entered: 09/30/2019)
10/02/2019	<u>58</u>	SUPPLEMENTAL CASE MANAGEMENT CONFERENCE STATEMENT – [Correction to Docket #57] filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 10/2/2019) (Entered: 10/02/2019)
10/03/2019	<u>59</u>	CASE MANAGEMENT, SCHEDULING, AND PRETRIAL ORDER. Case referred to Magistrate Judge Laurel Beeler for Settlement to be completed by 3/6/2020. Updated Case Management Statement due by 11/25/2019. Further Case Management Conference set for 12/2/2019 01:30 PM in San Francisco, Courtroom C, 15th Floor. Motion Hearing on Limited Summary Judgment Regarding Administrative Exhaustion set for 3/23/2020 09:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Close of Fact Discovery is 11/2/2020. Initial Expert Disclosure due by 12/1/2020. Rebuttal Expert Disclosure due by 1/4/2021. Close of Expert Discovery is 2/16/2021. Motion Hearing Regarding Class Certification set for 3/21/2021 09:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Dispositive Motion Hearing set for 5/24/2021 09:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Pretrial Conference set for 7/9/2021 01:30 PM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Jury Selection set for 8/10/2021 08:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Jury Trial set for 8/10/2021 08:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Signed by Magistrate Judge Sallie Kim on 10/3/2019. (mklS, COURT STAFF) (Filed on 10/3/2019) (Entered: 10/03/2019)
10/03/2019		CASE REFERRED to Magistrate Judge Laurel Beeler for Settlement (ahmS, COURT STAFF) (Filed on 10/3/2019) (Entered: 10/03/2019)
10/04/2019	60	CLERK'S NOTICE SETTING SETTLEMENT CONFERENCE SCHEDULING CALL: This case was referred for a settlement conference to Magistrate Judge Laurel Beeler. The court sets a call with the parties to discuss the timing and logistics of the settlement conference for Thursday, 10/24/2019 at 11:15 AM . The court will email a call-in number separately. If this date does not work, parties may request to change the date by stipulation. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 10/4/2019) (Entered: 10/04/2019)
10/08/2019	<u>61</u>	DEFENDANTS STIPULATION AND [PROPOSED] ORDER ON JAIL SITE PHOTOS AND VIDEOS REGARDING LEGAL OF CONFIDENTIALITY re 56 Case Management Conference filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto. (Berdux, Sabrina) (Filed on 10/8/2019) (Entered: 10/08/2019)
10/10/2019	<u>62</u>	Plaintiffs' Proposed Photos and Videos and Objections to re 61 DEFENDANTS [PROPOSED] STIPULATION ON JAIL SITE PHOTOS AND VIDEOS REGARDING

		<i>LEGAL OF CONFIDENTIALITY</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 10/10/2019) (Entered: 10/10/2019)
10/15/2019	<u>63</u>	MOTION to Compel <i>Defendants San Francisco Sheriff's Department to Provide Access for Discovery</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. Motion Hearing set for 11/18/2019 01:30 PM in San Francisco, Courtroom B, 15th Floor before Magistrate Judge Sallie Kim. Responses due by 10/29/2019. Replies due by 11/12/2019. (Attachments: # <u>1</u> Supplement Memorandum of Points and Authorities, # <u>2</u> Declaration Declaration of Yolanda Huang)(Huang, Yolanda) (Filed on 10/15/2019) (Entered: 10/15/2019)
10/15/2019	<u>64</u>	EXHIBITS to re <u>63</u> MOTION to Compel <i>Defendants San Francisco Sheriff's Department to Provide Access for Discovery</i> – EXHIBIT A: <i>Plaintiffs Letter dated 8.20.2019</i> EXHIBIT B: <i>Upshaw Stipulation</i> EXHIBIT C: <i>Defendants Letter dated 10.3.2019</i> EXHIBIT D: <i>Plaintiffs Letter dated 10.7.2019</i> EXHIBIT E: <i>Defendants Letter dated 10.11.2019</i> EXHIBIT F–1 <i>Dr. Zeitzer,f</i> –2: <i>Dr. Ghannam, F</i> –3: <i>Dr. Haar and F</i> –3: <i>Dr. Holick</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Related document(s) <u>63</u>) (Huang, Yolanda) (Filed on 10/15/2019) (Entered: 10/15/2019)
10/15/2019	<u>65</u>	[Proposed] Order re <u>63</u> MOTION to Compel <i>Defendants San Francisco Sheriff's Department to Provide Access for Discovery</i> <u>64</u> Exhibits filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 10/15/2019) (Entered: 10/15/2019)
10/15/2019	<u>66</u>	ORDER REGARDING PHOTOGRAPHS AND VIDEOS SUBJECT TO PROTECTIVE ORDER (Re: Dockets nos. <u>61</u> and <u>62</u>) by Magistrate Judge Sallie Kim. (mklS, COURT STAFF) (Filed on 10/15/2019) (Entered: 10/15/2019)
10/15/2019	<u>67</u>	DOCUMENT E–FILED UNDER SEAL re <u>45</u> Order on Administrative Motion to File Under Seal by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto. (Berdux, Sabrina) (Filed on 10/15/2019) (Entered: 10/15/2019)
10/16/2019	68	CLERK'S NOTICE Re: <u>63</u> MOTION to Compel <i>Defendants San Francisco Sheriff's Department to Provide Access for Discovery</i> . The Court previously set a briefing schedule and hearing date for this motion at docket no. <u>59</u> . The schedule is reset in accordance with the Court's prior order. Defendants' Opposition is due by 10/29/2019. Plaintiffs' Reply is due by 11/5/2019. Motion Hearing reset for 12/2/2019 01:30 PM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. <i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Filed on 10/16/2019) (Entered: 10/16/2019)
10/23/2019	<u>69</u>	Minute Entry for proceedings held before Magistrate Judge Sallie Kim: Evidentiary Hearing held on 10/23/2019. (Sealed FTR Time: 9:37–11:32.) (Attachments: # <u>1</u> Hearing Log)(mklS, COURT STAFF) (Date Filed: 10/23/2019) Modified on 10/24/2019: Matter transcribed by Peggy Schuerger (AdHoc Reporting). (rjdS, COURT STAFF). (Entered: 10/23/2019)
10/24/2019	<u>70</u>	TRANSCRIPT ORDER for proceedings held on 10/23/2019 before Magistrate Judge Sallie Kim by City and County of San Francisco, for Court Reporter FTR – San Francisco. (Berdux, Sabrina) (Filed on 10/24/2019) (Entered: 10/24/2019)
10/24/2019	71	Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference Call held on 10/24/2019. The court sets the in–person settlement conference for Tuesday, February 18, 2020 at 10:00 AM. (Not Reported). Plaintiffs' Attorney: Yolanda Huang. Defendants' Attorney: Sabrina Michelle Berdux. <i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Date Filed: 10/24/2019) (Entered: 10/24/2019)

10/24/2019	<u>72</u>	Order Setting Settlement Conference before Magistrate Judge. Settlement Conference set for 2/18/2020 at 10:00 AM in San Francisco, Courtroom B, 15th Floor. Settlement Conference Statements due by 1/28/2020. Signed by Judge Laurel Beeler on 10/24/2019. (ejkS, COURT STAFF) (Filed on 10/24/2019) (Entered: 10/24/2019)
10/24/2019	<u>73</u>	ORDER REGARDING DISPUTED PHOTOGRAPHS AND VIDEOS SUBJECT TO THE PROTECTIVE ORDER. Signed by Magistrate Judge Sallie Kim on 10/24/2019. (mkIS, COURT STAFF) (Filed on 10/24/2019) (Entered: 10/24/2019)
10/24/2019	<u>74</u>	ORDER REGARDING SEALING OF EVIDENTIARY HEARING TRANSCRIPT. Signed by Magistrate Judge Sallie Kim on 10/24/2019. (mkIS, COURT STAFF) (Filed on 10/24/2019) (Entered: 10/24/2019)
10/26/2019	<u>75</u>	Sealed Transcript of Proceedings held on 10/23/2019, before Magistrate Judge Sallie Kim. Court Reporter/Transcriber Peggy Schuerger/Ad Hoc Reporting, Telephone number (619) 228-3774/adhocreporting@aol.com. Per General Order No. 59 and Judicial Conference policy, any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Redaction Request due 11/13/2019. Redacted Transcript Deadline set for 11/25/2019. (pls, COURT STAFF) (Filed on 10/26/2019) (Entered: 10/26/2019)
10/28/2019	<u>76</u>	ORDER DENYING MOTION TO RELATE CASES. The Administrative Motion [Dkt. 17 in 4:19-cv-2722-YGR] to determine whether the Court should relate cases 4:19-cv-2722-YGR and 3:19-cv-2724-SK is DENIED. Signed by Judge Yvonne Gonzalez Rogers on 10/28/2019. (fs, COURT STAFF) (Filed on 10/28/2019) (Entered: 10/29/2019)
10/29/2019	<u>77</u>	OPPOSITION/RESPONSE to (re <u>63</u> MOTION to Compel <i>Defendants San Francisco Sheriff's Department to Provide Access for Discovery</i>) – <i>RESPONSE TO MOTION TO COMPEL DEFENDANT SAN FRANCISCO SHERIFF DEPARTMENT TO PROVIDE ACCESS FOR DISCOVERY (DKT. 56, 63, 68)</i> filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto. (Attachments: # <u>1</u> Declaration Undersheriff Matthew Freeman, # <u>2</u> Declaration Lisa A. Pratt, MD, MPH, # <u>3</u> Declaration Sabrina M. Berdux, # <u>4</u> Exhibit A to Sabrina M. Berdux Declaration, # <u>5</u> Exhibit B to Sabrina M. Berdux Declaration)(Berdux, Sabrina) (Filed on 10/29/2019) (Entered: 10/29/2019)
11/01/2019	<u>78</u>	ORDER UNSEALING EVIDENTIARY HEARING TRANSCRIPT AND FTR RECORDING. Signed by Magistrate Judge Sallie Kim on 11/1/19. (sklc2S, COURT STAFF) (Filed on 11/1/2019) (Entered: 11/01/2019)
11/01/2019	<u>79</u>	Supplemental Brief in Support of re <u>8</u> MOTION for Preliminary Injunction filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Attachments: # <u>1</u> Declaration of Montrail Brackens, # <u>2</u> Declaration of Armando Carlos, # <u>3</u> Declaration Kenyon Norbert, # <u>4</u> Declaration Kishawn Norbert, # <u>5</u> Declaration Roger Dominguez)(Related document(s) <u>8</u>) (Huang, Yolanda) (Filed on 11/1/2019) (Entered: 11/01/2019)
11/05/2019	<u>80</u>	REPLY (re <u>63</u> MOTION to Compel <i>Defendants San Francisco Sheriff's Department to Provide Access for Discovery</i>) filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Attachments: # <u>1</u> Declaration Yolanda Huang)(Huang, Yolanda) (Filed on 11/5/2019) (Entered: 11/05/2019)
11/08/2019	<u>81</u>	Supplemental Brief re <u>8</u> MOTION for Preliminary Injunction – <i>DEFENDANTS SUPPLEMENTAL BRIEFING REGARDING PLAINTIFFS MOTION FOR PRELIMINARY INJUNCTION (DKT. 8)</i> filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto. (Attachments: # <u>1</u> Declaration Kaitlyn Murphy, # <u>2</u> Exhibit A to Declaration of Kaitlyn Murphy, # <u>3</u> Exhibit B to Declaration of Kaitlyn Murphy)(Related document(s) <u>8</u>) (Murphy, Kaitlyn) (Filed on 11/8/2019) (Entered: 11/08/2019)
11/12/2019	82	CLERK'S NOTICE Re: Hearing on 11/18/2019: At the hearing on 11/18/2019 at 1:30 PM the Court will hear argument as to the Motion for Preliminary Injunction (dkt no. <u>8</u>) and Motion to Dismiss (dkt no. 37) only. The Motion to Compel (dkt no. <u>63</u>) is set for a separate hearing on 12/2/2019 at 1:30 PM. (This is a text-only entry generated by the court. There is no document associated with this entry.) (mkIS, COURT

		STAFF) (Filed on 11/12/2019) (Entered: 11/12/2019)
11/18/2019	83	Minute Entry for proceedings held before Magistrate Judge Sallie Kim: Motion Hearing held on 11/18/2019 re 8 MOTION for Preliminary Injunction filed by Kenyon Norbert and 37 MOTION to Dismiss DEFENDANTS NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFFS COMPLAINT. The Court heard oral argument on the motions and will issue a written order. (FTR Time: 1:49–2:29.) Attorney for Plaintiff: Yolanda Huang. Attorneys for Defendants: Sabrina Berdux; Kaitlyn Murphy. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Date Filed: 11/18/2019) Modified on 3/4/2020: Matter transcribed by Peggy Schuerger (AdHoc Reporting). (rjdS, COURT STAFF). (Entered: 11/18/2019)
11/19/2019	<u>84</u>	PDF with attached Audio File. Court Date & Time [11/18/2019 1:49:22 PM]. File Size [19080 KB]. Run Time [00:39:45]. (courtspeak). (Entered: 11/19/2019)
11/26/2019	<u>85</u>	JOINT CASE MANAGEMENT STATEMENT filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 11/26/2019) (Entered: 11/26/2019)
12/02/2019	86	Minute Entry for proceedings held before Magistrate Judge Sallie Kim: Motion Hearing held on 12/2/2019 re 63 MOTION to Compel Defendants San Francisco Sheriff's Department to Provide Access for Discovery filed by Plaintiffs. Further Case Management Conference held on 12/2/2019. The Court continued the hearing on the motion to compel. The Court advises plaintiffs to provide additional information regarding the scientific validity of the proposed plan and the manner in which the data and evidence will be used either by scientific researchers or by other sources who seek to subpoena the materials for use in ongoing criminal cases or other ongoing civil cases. The Court advises plaintiffs to provide copies of any studies submitted for approval with any institutional review board regarding testing of human subjects and, to the extent that scientific researchers have sought funding from other sources, copies of any grant proposals. The Court advises defendants to provide information regarding the initial screening of inmates, the regularity and scope of checkups, and the manner in which inmates can seek their medical records. The Court notes that any consent form must be mutual, i.e., the parties must have equal access to any evidence obtained. Further Case Management Conference set for 1/7/2020 01:30 PM in San Francisco, Courtroom C, 15th Floor. Further Motion Hearing set for 1/7/2020 01:30 PM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim.(FTR Time: 1:33–1:57; 1:58–1:59.) Plaintiff Attorney: Yolanda Huang. Defendant Attorney: Sabrina Berdux. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Date Filed: 12/2/2019) (Entered: 12/02/2019)
12/03/2019	<u>87</u>	ORDER REGARDING MOTION TO COMPEL. Signed by Magistrate Judge Sallie Kim on 12/3/2019. (Attachments: # 1 Certificate/Proof of Service)(mklS, COURT STAFF) (Filed on 12/3/2019) (Entered: 12/03/2019)
12/04/2019	88	CLERK'S NOTICE Continuing Hearing: Notice is given that the Further Motion Hearing Re: 63 MOTION to Compel Defendants San Francisco Sheriff's Department to Provide Access for Discovery and Case Management Conference set for 1/7/2020 are continued to 1/14/2020 01:30 PM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i>(mklS, COURT STAFF) (Filed on 12/4/2019) Modified on 12/4/2019 (mklS, COURT STAFF). (Entered: 12/04/2019)
12/04/2019		Set/Reset Hearing re 88 Clerk's Notice. Further Case Management Conference reset for 1/14/2020 01:30 PM in San Francisco, Courtroom C, 15th Floor. (mklS, COURT

		STAFF) (Filed on 12/4/2019) (Entered: 12/04/2019)
12/16/2019	<u>89</u>	<i>NOTICE OF CHANGE OF PLAINTIFFS' COUNSEL ADDRESS</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 12/16/2019) (Entered: 12/16/2019)
12/16/2019	<u>90</u>	Ex Parte Application <i>for Leave to File Surrebuttal and Supplemental Points and Authorities with [Proposed] Order re 8 MOTION for Preliminary Injunction</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 12/16/2019) (Entered: 12/16/2019)
12/17/2019	<u>91</u>	ORDER by Magistrate Judge Sallie Kim granting <u>90</u> Ex Parte Application for Leave to File Surrebuttal. Plaintiffs to file a sur-rebuttal no later than 12/30/2019. Any response by Defendants shall be due no later than 1/13/2020. (mkls, COURT STAFF) (Filed on 12/17/2019) (Entered: 12/17/2019)
12/17/2019	<u>92</u>	NOTICE of Appearance by Jonathan Philip Abel (Abel, Jonathan) (Filed on 12/17/2019) (Entered: 12/17/2019)
12/17/2019	<u>93</u>	Brief of Amicus Curiae Office of the Federal Public Defender for the Northern District of California filed by Jonathan Abel. (Abel, Jonathan) (Filed on 12/17/2019) (Entered: 12/17/2019)
12/30/2019	<u>94</u>	SURREBUTTAL re (re <u>8</u> MOTION for Preliminary Injunction) filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 12/30/2019) (Entered: 12/30/2019)
01/03/2020	<u>95</u>	Amicus Curiae Letter from San Francisco Public Defender's Office. (mkls, COURT STAFF) (Filed on 1/3/2020) (Entered: 01/03/2020)
01/07/2020	<u>96</u>	Letter from Sabrina M. Berdux re <i>Additional Information Re: Plaintiffs' Motion for Blood Test Study</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Berdux, Sabrina) (Filed on 1/7/2020) (Entered: 01/07/2020)
01/07/2020	<u>97</u>	<i>Declaration of Dr. Jamie Zeitzer In Response to the Court's Questions re <u>87</u> Order in Support of Plaintiffs' Request for Access to Conduct Medical Testing and Medical and Psychological Examination</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Attachments: #(1) Declaration Yolanda Huang)(Related document(s) <u>87</u>) (Huang, Yolanda) (Filed on 1/7/2020) (Entered: 01/07/2020)
01/07/2020	<u>98</u>	SUPPLEMENTAL DECLARATION of Sabrina M. Berdux in Response to Blood Test Study Proposal re <u>87</u> Order filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto, San Francisco Sheriff's Department. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Related document(s) <u>87</u>) (Berdux, Sabrina) (Filed on 1/7/2020) (Entered: 01/07/2020)
01/07/2020	<u>99</u>	FURTHER CASE MANAGEMENT STATEMENT; DECLARATION OF KAITLYN MURPHY filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto, San Francisco Sheriff's Department. (Attachments: #(1) Exhibit A)(Murphy, Kaitlyn) (Filed on 1/7/2020) (Entered: 01/07/2020)
01/07/2020	<u>100</u>	CASE MANAGEMENT CONFERENCE STATEMENT filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 1/7/2020) (Entered: 01/07/2020)
01/09/2020	101	CLERK'S NOTICE: The Court requests that the parties prepare a flash drive containing all photographs and videos taken during the site visits and provide it to the Court at the hearing on 1/14/2020. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mkls, COURT STAFF) (Filed on 1/9/2020) (Entered: 01/09/2020)
01/13/2020	<u>102</u>	OPPOSITION/RESPONSE (re <u>8</u> MOTION for Preliminary Injunction) <i>Response to Surreply</i> filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson,

		Captain McConnell, Paul Miyamoto, San Francisco Sheriff's Department. (Murphy, Kaitlyn) (Filed on 1/13/2020) (Entered: 01/13/2020)
01/14/2020	<u>103</u>	Minute Entry for proceedings held before Magistrate Judge Sallie Kim: Motion Hearing held on 1/14/2020 re <u>63</u> MOTION to Compel Defendants San Francisco Sheriff's Department to Provide Access for Discovery. Further Case Management Conference held on 1/14/2020. The Court grants in part and denies in part the Motion to Compel. A written order will issue. The Court grants the Defendants' request to consolidate the motion for summary judgment regarding exhaustion with any other motion for summary judgment to be filed by defendants. The motion hearing set for 3/23/2020 is vacated. Case Management Statement due by 3/23/2020. Further Case Management Conference set for 3/30/2020 01:30 PM in San Francisco, Courtroom C, 15th Floor. (FTR Time: 1:32–2:03.) Attorney for Plaintiffs: Yolanda Huang. Attorneys for Defendants: Sabrina Berdux; Kaitlyn Murphy. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Date Filed: 1/14/2020) (Entered: 01/14/2020)
01/15/2020	<u>104</u>	Letter Brief re 103 Case Management Conference – Further,,,,, Motion Hearing,,,,, Set Deadlines/Hearings,,,,, <i>Supplemental Information Regarding Blood Tests</i> filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto, San Francisco Sheriff's Department. (Related document(s) 103) (Berdux, Sabrina) (Filed on 1/15/2020) (Entered: 01/15/2020)
01/15/2020	<u>105</u>	Letter Brief re 103 Case Management Conference – Further,,,,, Motion Hearing,,,,, Set Deadlines/Hearings,,,,, <u>104</u> Letter Brief, <i>Opposition to Defendants Request for Open Ended, Unspecified Blood Testing</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Related document(s) 103 , <u>104</u>) (Huang, Yolanda) (Filed on 1/15/2020) (Entered: 01/15/2020)
01/20/2020	<u>106</u>	<i>Supplemental Brief In Opposition to Defendants Oral and Letter Brief Requesting Order to Compel Plaintiffs' Medical Examination</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 1/20/2020) (Entered: 01/20/2020)
01/23/2020	<u>107</u>	ORDER by Magistrate Judge Sallie Kim granting in part and denying in part <u>63</u> Motion to Compel. (sklc2S, COURT STAFF) (Filed on 1/23/2020) (Entered: 01/23/2020)
01/24/2020	<u>108</u>	ORDER Posing Supplemental Questions re <u>8</u> . Signed by Magistrate Judge Sallie Kim on 1/24/20. (sklc2S, COURT STAFF) (Filed on 1/24/2020) (Entered: 01/24/2020)
01/29/2020	<u>109</u>	RESPONSES to re <u>108</u> Order Posing Supplemental Questions filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto, San Francisco Sheriff's Department. (Murphy, Kaitlyn) (Filed on 1/29/2020) (Entered: 01/29/2020)
01/31/2020	<u>110</u>	ORDER by Magistrate Judge Sallie Kim granting in part and denying in part <u>37</u> Motion to Dismiss; granting in part and denying in part <u>8</u> Motion for Preliminary Injunction. (sklc2S, COURT STAFF) (Filed on 1/31/2020) (Entered: 01/31/2020)
02/03/2020	<u>111</u>	CLERK'S NOTICE RESETTING SETTLEMENT CONFERENCE DATE: Settlement Conference previously set for 2/18/2020 is reset to 3/5/2020 at 1:00 PM in San Francisco, Courtroom B, 15th Floor. Settlement Conference Statements due by 2/27/2020. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 2/3/2020) (Entered: 02/03/2020)
02/05/2020	<u>112</u>	CLERK'S NOTICE RESETTING SETTLEMENT CONFERENCE: Settlement Conference previously set for 3/5/2020 is advanced to 2/27/2020 at 1:00 PM in San Francisco, Courtroom B, 15th Floor. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on

		2/5/2020) (Entered: 02/05/2020)
02/05/2020	<u>113</u>	ADMINISTRATIVE MOTION for Clarification of the Portions of re <u>110</u> Order on Motion to Dismiss, Order on Motion for Preliminary Injunction filed by City and County of San Francisco. Responses due by 2/10/2020. (Attachments: # <u>1</u> Declaration of Sabrina Berdux, # <u>2</u> Declaration of Undersheriff Matthew Freeman, # <u>3</u> Proposed Order)(Murphy, Kaitlyn) (Filed on 2/5/2020) (Entered: 02/05/2020)
02/06/2020	<u>114</u>	ORDER Regarding Motion for Clarification by Magistrate Judge Sallie Kim. (shyS, COURT STAFF) (Filed on 2/6/2020) (Entered: 02/06/2020)
02/07/2020	<u>115</u>	ADMINISTRATIVE MOTION Whether Defendants blood tests are unlimited or confined to toxicology, whether defendants need to name the testing facility and the allocation of costs re <u>107</u> Order on Motion to Compel <i>Discovery</i> filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. Responses due by 2/11/2020. (Attachments: #(1) Declaration of Yolanda Huang, #(2) [Proposed] Order)(Huang, Yolanda) (Filed on 2/7/2020) (Entered: 02/07/2020)
02/10/2020	<u>116</u>	OPPOSITION/RESPONSE (re <u>113</u> ADMINISTRATIVE MOTION for Clarification re <u>110</u> Order on Motion to Dismiss, Order on Motion for Preliminary Injunction) filed by Montrail Brackens, Michael Brown, Armando Carlos, Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 2/10/2020) (Entered: 02/10/2020)
02/11/2020	<u>117</u>	[Proposed] Order of Clarification re <u>107</u> Order on Motion to Compel filed by Troy McAllister, Kenyon Norbert, Jose Poot. (Huang, Yolanda) (Filed on 2/11/2020) (Entered: 02/11/2020)
02/11/2020	<u>118</u>	OPPOSITION/RESPONSE to (re <u>115</u> ADMINISTRATIVE MOTION Whether Defendants blood tests are unlimited or confined to toxicology, whether defendants need to name the testing facility and the allocation of costs re <u>107</u> Order on Motion to Compel <i>Discovery</i>) filed by City and County of San Francisco, Vicki Hennessy, Jason Jackson, Captain McConnell, Paul Miyamoto, San Francisco Sheriff's Department. (Attachments: # <u>1</u> Declaration Sabrina M. Berdux, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Berdux, Sabrina) (Filed on 2/11/2020) (Entered: 02/11/2020)
02/11/2020	<u>119</u>	ORDER by Magistrate Judge Sallie Kim Re: <u>113</u> Administrative Motion for Clarification. (mkls, COURT STAFF) (Filed on 2/11/2020) (Entered: 02/11/2020)
02/14/2020	<u>120</u>	TRANSCRIPT ORDER for proceedings held on 10/23/2019 before Magistrate Judge Sallie Kim for Court Reporter FTR – San Francisco. (rjdS, COURT STAFF) (Filed on 2/14/2020) (Entered: 02/14/2020)
02/14/2020	<u>121</u>	Transcript of Proceedings held on 10/23/2019, before Magistrate Judge Sallie Kim. Court Reporter/Transcriber Peggy Schuerger/Ad Hoc Reporting, telephone number (619) 228-3774/adhocreporting@aol.com. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re <u>120</u> Transcript Order) Redaction Request due 3/6/2020. Redacted Transcript Deadline set for 3/16/2020. Release of Transcript Restriction set for 5/14/2020. (Related documents(s) <u>120</u>) (pls, COURT STAFF) (Filed on 2/14/2020) (Entered: 02/14/2020)
02/19/2020	<u>122</u>	CLERK'S NOTICE Setting Telephonic Hearing: Notice is given that a Telephonic Status Conference to address the Administrative Motion and Opposition (dkt nos. <u>115</u> and <u>118</u>) is set for 2/24/2020 09:30 AM in San Francisco, Chambers before Magistrate Judge Sallie Kim. The Court will circulate dial-in information to counsel by separate email. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mkls, COURT STAFF) (Filed on 2/19/2020) (Entered: 02/19/2020)
02/21/2020	<u>123</u>	CLERK'S NOTICE Continuing Telephonic Hearing: Notice is given that the Telephonic Status Conference set for 2/24/2020 is continued to 2/25/2020 08:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. The

		dial-in information remains the same as previously circulated. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Filed on 2/21/2020) (Entered: 02/21/2020)
02/25/2020	<u>124</u>	Minute Entry for proceedings held before Magistrate Judge Sallie Kim: Telephonic Status Conference held on 2/25/2020. Plaintiffs must provide to defendants a proposed form of consent for the blood draw by 3/6/2020. Defendants must provide their proposed form of consent for the blood draw by 3/13/2020. If the parties agree to the form, they can submit that form by 3/17/2020 to the Court. If the parties do not agree to the form, they may submit competing proposals with a two-page letter of explanation to the Court by 3/17/2020.(FTR Time: 8:30-8:38.) Attorney for Plaintiffs: Yolanda Huang. Attorneys for Defendants: Sabrina Berdux; Kaitlyn Murphy. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (mklS, COURT STAFF) (Date Filed: 2/25/2020) (Entered: 02/25/2020)
02/26/2020	<u>125</u>	ANSWER to Complaint with Jury Demand by City and County of San Francisco, Vicki Hennessy. (Berdux, Sabrina) (Filed on 2/26/2020) (Entered: 02/26/2020)
02/27/2020	<u>126</u>	Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference held on 2/27/2020. The court held a settlement conference. The parties identified three major areas for resolution, with one area needing discussion with the Sheriff next week. The court thus set a settlement call with the parties for Thursday, March 5, 2020 at 3:00 p.m. The court will circulate a call-in number separately. (Not Reported). Plaintiffs' Attorney: Yolanda Huang. Defendants' Attorneys: Kaitlyn Murphy, Margaret Baumgartner and Sabrina Berdux. Also appearing: Jennifer Johnson. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Date Filed: 2/27/2020) (Entered: 02/28/2020)
02/28/2020	<u>127</u>	NOTICE OF APPEAL to the 9th Circuit Court of Appeals filed by City and County of San Francisco. Appeal of Order on Motion to Dismiss, Order on Motion for Preliminary Injunction <u>110</u> , Order on Administrative Motion per Civil Local Rule 7-11 <u>119</u> (Appeal fee: PAID 3/2/2020.) (Murphy, Kaitlyn) (Filed on 2/28/2020) Modified on 3/3/2020 (fabS, COURT STAFF). (Entered: 02/28/2020)
02/28/2020	<u>128</u>	MOTION to Stay filed by City and County of San Francisco. Motion Hearing set for 4/6/2020 09:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. Responses due by 3/13/2020. Replies due by 3/20/2020. (Attachments: # <u>1</u> Declaration Kaitlyn Murphy, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Proposed Order)(Murphy, Kaitlyn) (Filed on 2/28/2020) (Entered: 02/28/2020)
03/02/2020	<u>129</u>	Mailed request for payment of docket fee to appellant (cc to USCA) (fabS, COURT STAFF) (Filed on 3/2/2020) (Entered: 03/02/2020)
03/02/2020	<u>130</u>	USCA Case Number 20-15341 9th Circuit for <u>127</u> Notice of Appeal, filed by City and County of San Francisco. (fabS, COURT STAFF) (Filed on 3/2/2020) (Entered: 03/02/2020)
03/02/2020	<u>131</u>	USCA Appeal Fees received \$ 505 receipt number 34611147835 re <u>127</u> Notice of Appeal, filed by City and County of San Francisco (fabS, COURT STAFF) (Filed on 3/2/2020) (Entered: 03/03/2020)
03/03/2020	<u>132</u>	Transcript Designation Form for proceedings held on 8/5/19, 10/23/19, 11/18/19 before Judge Sallie Kim, (Murphy, Kaitlyn) (Filed on 3/3/2020) (Entered: 03/03/2020)
03/03/2020	<u>133</u>	TRANSCRIPT ORDER for proceedings held on 8/5/2019 and 11/18/2019 before Magistrate Judge Sallie Kim by City and County of San Francisco, for Court Reporter FTR - San Francisco. (Murphy, Kaitlyn) (Filed on 3/3/2020) Modified on 3/4/2020: Removed date previously ordered. (rjdS, COURT STAFF). (Entered: 03/03/2020)

03/05/2020	<u>134</u>	Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference Call held on 3/5/2020. The court held a further settlement conference with the parties. The CCSF's current motion to stay is now calendared for April 6, 2020. The CCSF obviously does not want to be in violation of the injunction. The court and parties worked out a process whereby the parties will stipulate to certain recitals reflecting the current compliance with the injunction and other relief that the CCSF has implemented, and will agree to a process to address the remaining issue that was the subject of the call today. That will allow the parties to continue to work on the last piece of the case. The stipulation thus will propose continuing the motions hearing and extending the time for any opposition to allow this process. It also will allow the parties to stipulate to stay the briefing for the pending appeal to allow the settlement process. The CCSF will circulate a draft to Ms. Huang by Friday, March 6, 2020, and Ms. Huang will provide any edits by Monday, March 9, 2020. The parties will file the stipulation on Tuesday, March 10, 2020. The CCSF contemplates being able to provide a further update about the last issue by next Thursday, March 12, 2020. The parties will confer by telephone at 11:00 a.m. that day and will update the court in a joint email by COB on March 12, 2020 about the proposal and their contemplated next steps. (Not Reported). Plaintiffs' Attorney: Yolanda Huang. Defendants' Attorneys: Sabrina Berdux, Kaitlyn M. Murphy and Margaret W. Baumgartner. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Date Filed: 3/5/2020) (Entered: 03/06/2020)
03/10/2020	<u>135</u>	Transcript of Proceedings held on 08/05/2019, before Magistrate Judge Sallie Kim. Court Reporter/Transcriber Peggy Schuerger/Ad Hoc Reporting, telephone number (619) 228-3774/adhocreporting@aol.com. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re <u>133</u> Transcript Order,) Redaction Request due 3/31/2020. Redacted Transcript Deadline set for 4/10/2020. Release of Transcript Restriction set for 6/8/2020. (Related documents(s) <u>133</u>) (pls, COURT STAFF) (Filed on 3/10/2020) (Entered: 03/10/2020)
03/10/2020	<u>136</u>	Transcript of Proceedings held on 11/18/2019, before Magistrate Judge Sallie Kim. Court Reporter/Transcriber Peggy Schuerger/Ad Hoc Reporting, telephone number (619) 228-3774/adhocreporting@aol.com. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re <u>133</u> Transcript Order,) Redaction Request due 3/31/2020. Redacted Transcript Deadline set for 4/10/2020. Release of Transcript Restriction set for 6/8/2020. (Related documents(s) <u>133</u>) (pls, COURT STAFF) (Filed on 3/10/2020) (Entered: 03/10/2020)
03/10/2020	<u>137</u>	STIPULATION WITH PROPOSED ORDER re 134 Settlement Conference,,,,,, <i>FOR PARTIAL STAY OF INJUNCTION AND STAY OF APPEAL</i> filed by City and County of San Francisco, Vicki Hennessy. (Baumgartner, Margaret) (Filed on 3/10/2020) (Entered: 03/10/2020)
03/11/2020	<u>138</u>	ORDER by Magistrate Judge Sallie Kim granting <u>137</u> Stipulation for Partial Stay of Injunction and Stay of Appeal. (mkls, COURT STAFF) (Filed on 3/11/2020) (Entered: 03/11/2020)
03/11/2020		Set/Reset Deadlines as to <u>128</u> MOTION to Stay . Responses due by 4/24/2020. Replies due by 5/8/2020. Motion Hearing reset for 5/18/2020 09:30 AM in San Francisco, Courtroom C, 15th Floor before Magistrate Judge Sallie Kim. (mkls, COURT STAFF) (Filed on 3/11/2020) (Entered: 03/11/2020)

03/13/2020	<u>139</u>	NOTICE OF CROSS APPEAL as to <u>127</u> Notice of Appeal, by Marshall Harris, Troy McAllister, Kenyon Norbert, Jose Poot. (Appeal fee of \$505 receipt number 0971-14280117 paid.) Appeal Record due by 4/13/2020. (Huang, Yolanda) (Filed on 3/13/2020) (Entered: 03/13/2020)
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