

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:20-cv-05256-CRB**

Disability Rights California v. County of Alameda et al	Date Filed: 07/30/2020
Assigned to: Judge Charles R. Breyer	Jury Demand: None
Cause: 42:12101 Americans w/ Disabilities Act (ADA)	Nature of Suit: 446 American with Disabilities - Other
	Jurisdiction: Federal Question

Plaintiff

Disability Rights California

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V.

Defendant

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Defendant

**Alameda County Behavioral
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Raymond S. Lara
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Linda Randlett Kollar
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Defendant

Alameda Health System
TERMINATED: 02/22/2021

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Date Filed	#	Docket Text
07/30/2020	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400, receipt number 0971-14756689.). Filed by Disability Rights California. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons)(Lee, Andrew) (Filed on 7/30/2020) (Entered: 07/30/2020)
07/30/2020	<u>2</u>	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 310, receipt number 0971-14757152.) filed by Disability Rights California. (Attachments: # <u>1</u> Exhibit Certificate of Good Standing)(Mathis, Jennifer) (Filed on 7/30/2020) (Entered: 07/30/2020)
07/31/2020	<u>3</u>	MOTION for leave to appear in Pro Hac Vice of <i>Ira Burnim</i> (Filing fee \$ 310, receipt number 0971-14757789.) filed by Disability Rights California. (Attachments: # <u>1</u> Exhibit Certificate of Good Standing - DC)(Burnim, Ira) (Filed on 7/31/2020) (Entered: 07/31/2020)
07/31/2020	4	Case assigned to Magistrate Judge Joseph C. Spero. 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 8/14/2020. (mbcS, COURT STAFF) (Filed on 7/31/2020) (Entered: 07/31/2020)

08/03/2020	<u>5</u>	Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 10/23/2020. Initial Case Management Conference set for 10/30/2020 02:00 PM in San Francisco, Courtroom F, 15th Floor. (fabS, COURT STAFF) (Filed on 8/3/2020) (Entered: 08/03/2020)
08/03/2020	<u>6</u>	Summons Issued as to Alameda County Behavioral Health Care Services, Alameda Health System, County of Alameda. (fabS, COURT STAFF) (Filed on 8/3/2020) (Entered: 08/03/2020)
08/04/2020	<u>7</u>	Order, signed 8/4/2020, by Chief Magistrate Judge Joseph C. Spero granting <u>2</u> Motion for Pro Hac Vice for Jennifer Mathis.(klhS, COURT STAFF) (Filed on 8/4/2020) (Entered: 08/04/2020)
08/04/2020	<u>8</u>	ORDER, signed 8/4/2020, by Chief Magistrate Judge Joseph C. Spero granting <u>3</u> Motion for Pro Hac Vice for Ira Burnim. (klhS, COURT STAFF) (Filed on 8/4/2020) (Entered: 08/04/2020)
08/14/2020	<u>9</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Disability Rights California.. (Lee, Andrew) (Filed on 8/14/2020) (Entered: 08/14/2020)
09/16/2020	<u>10</u>	WAIVER OF SERVICE Returned Executed filed by Disability Rights California. Service waived by Alameda County Behavioral Health Care Services waiver sent on 8/12/2020, answer due 10/13/2020. (Lee, Andrew) (Filed on 9/16/2020) (Entered: 09/16/2020)
09/16/2020	<u>11</u>	WAIVER OF SERVICE Returned Executed filed by Disability Rights California. Service waived by County of Alameda waiver sent on 8/12/2020, answer due 10/13/2020. (Lee, Andrew) (Filed on 9/16/2020) (Entered: 09/16/2020)
09/16/2020	<u>12</u>	WAIVER OF SERVICE Returned Executed filed by Disability Rights California. Service waived by Alameda Health System waiver sent on 8/12/2020, answer due 10/13/2020. (Lee, Andrew) (Filed on 9/16/2020) (Entered: 09/16/2020)
09/30/2020	<u>13</u>	Certificate of Interested Entities by Disability Rights California (Lee, Andrew) (Filed on 9/30/2020) (Entered: 09/30/2020)
10/08/2020	<u>14</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Lee, Andrew) (Filed on 10/8/2020) (Entered: 10/08/2020)

10/09/2020	<u>15</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options <i>By Parties And Counsel</i> (Trembly, Gymmel) (Filed on 10/9/2020) (Entered: 10/09/2020)
10/13/2020	<u>16</u>	STIPULATION <i>to Extend Time to Respond to Complaint</i> filed by Alameda County Behavioral Health Care Services, County of Alameda. (Lara, Raymond) (Filed on 10/13/2020) (Entered: 10/13/2020)
10/13/2020	<u>17</u>	MOTION to Dismiss <i>and</i> , MOTION to Strike <u>1</u> Complaint filed by Alameda Health System. Motion Hearing set for 11/20/2020 09:30 AM in San Francisco, Courtroom F, 15th Floor before Magistrate Judge Joseph C. Spero. Responses due by 10/27/2020. Replies due by 11/3/2020. (Attachments: # <u>1</u> Declaration of David Abella, # <u>2</u> Declaration of Gymmel Trembly, # <u>3</u> Proposed Order Granting Defendant Alameda Health System's Motion to Dismiss Plaintiff's Complaint and Motion to Strike)(Trembly, Gymmel) (Filed on 10/13/2020) (Entered: 10/13/2020)
10/13/2020	<u>18</u>	Request for Judicial Notice re <u>17</u> MOTION to Dismiss <i>and</i> MOTION to Strike <u>1</u> Complaint filed by Alameda Health System. (Related document(s) <u>17</u>) (Trembly, Gymmel) (Filed on 10/13/2020) (Entered: 10/13/2020)
10/13/2020	<u>19</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Alameda Health System.. (Trembly, Gymmel) (Filed on 10/13/2020) (Entered: 10/13/2020)
10/14/2020	<u>20</u>	CLERK'S NOTICE Re: Consent or Declination: Plaintiff and Defendants County of Alameda and Alameda County Behavioral Health Care Services shall file a consent or declination to proceed before a magistrate judge. 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 . (Party/parties were also notified via telephone or email.) Consent/Declination due by 10/21/2020. (klhS, COURT STAFF) (Filed on 10/14/2020) (Entered: 10/14/2020)
10/14/2020	<u>21</u>	NOTICE of Appearance by Kurt A. Franklin <i>for Defendant Alameda Health System</i> (Franklin, Kurt) (Filed on 10/14/2020) (Entered: 10/14/2020)

10/14/2020	<u>22</u>	ORDER GRANTING re <u>16</u> Stipulation to Extend Time filed by Alameda County Behavioral Health Care Services, County of Alameda. Signed by Judge Joseph C. Spero on 10/14/2020. (klhS, COURT STAFF) (Filed on 10/14/2020) (Entered: 10/14/2020)
10/21/2020	<u>23</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Alameda County Behavioral Health Care Services, County of Alameda.. (Lara, Raymond) (Filed on 10/21/2020) (Entered: 10/21/2020)
10/21/2020	<u>24</u>	NOTICE of Appearance by Raymond S. Lara (Lara, Raymond) (Filed on 10/21/2020) (Entered: 10/21/2020)
10/22/2020	<u>25</u>	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (klhS, COURT STAFF) (Filed on 10/22/2020) (Entered: 10/22/2020)
10/23/2020	<u>26</u>	ORDER, Case Reassigned using a proportionate, random, and blind system pursuant to General Order No. 44 to Judge Charles R. Breyer for all further proceedings. Magistrate Judge Joseph C. Spero no longer assigned to the case. Notice: The assigned judge participates in the Cameras in the Courtroom Pilot Project. See General Order No. 65 and http://cand.uscourts.gov/cameras.. Signed by The Clerk on 10/23/20. (Attachments: # <u>1</u> Notice of Eligibility for Video Recording)(haS, COURT STAFF) (Filed on 10/23/2020) (Entered: 10/23/2020)
10/26/2020	<u>27</u>	Renotice motion hearing re <u>17</u> MOTION to Dismiss <i>and</i> MOTION to Strike <u>1</u> Complaint filed by Alameda Health System. (Related document(s) <u>17</u>) (Trembly, Gymbel) (Filed on 10/26/2020) (Entered: 10/26/2020)
10/26/2020	28	CLERK'S NOTICE VACATING MOTION to Dismiss and, MOTION to Strike hearing set for November 19, 2020 before the Honorable Charles R. Breyer. Motion Hearing set for 12/3/2020 at 10:00 AM in Videoconference Only before Judge Charles R. Breyer.. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (lsS, COURT STAFF) (Filed on 10/26/2020) (Entered: 10/26/2020)
10/26/2020		Set/Reset Deadlines as to <u>17</u> MOTION to Dismiss <i>and</i> MOTION to Strike <u>1</u> Complaint . Motion Hearing set for 12/3/2020 at 10:00

		AM in Videoconference Only before Judge Charles R. Breyer. (lsS, COURT STAFF) (Filed on 10/26/2020) (Entered: 10/26/2020)
10/27/2020	29	STIPULATION WITH PROPOSED ORDER <i>Regarding Briefing Schedule for Motion to Dismiss</i> filed by Disability Rights California. (Lee, Andrew) (Filed on 10/27/2020) (Entered: 10/27/2020)
10/27/2020	30	STIPULATION AND ORDER RE BRIEFING SCHEDULE by Judge Charles R. Breyer: Granting 29 Stipulation. Motion Hearing set for 12/10/2020 at 10:00 AM in Videoconference Only before Judge Charles R. Breyer. (lsS, COURT STAFF) (Filed on 10/27/2020) (Entered: 10/27/2020)
10/27/2020		Set/Reset Deadlines as to 17 MOTION to Dismiss <i>and</i> MOTION to Strike 1 Complaint . Opposition due by 11/10/2020. Replies due by 11/24/2020. Motion Hearing set for 12/10/2020 at 10:00 AM in Videoconference Only before Judge Charles R. Breyer. (lsS, COURT STAFF) (Filed on 10/27/2020) (Entered: 10/27/2020)
10/27/2020		This proceeding will be held via a Zoom webinar. Webinar Access: All counsel, members of the public, and media may access the webinar information at https://www.cand.uscourts.gov/crb Court Appearances: Advanced notice is required of counsel or parties who wish to be identified by the court as making an appearance or will be participating in the argument at the hearing. A list of names and emails must be sent to the CRD at crbcrd@cand.uscourts.gov no later than December 7, 2020 at 3:00 PM PST. General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited. Zoom Guidance and Setup: https://www.cand.uscourts.gov/zoom/. (lsS, COURT STAFF) (Filed on 10/27/2020) (Entered: 10/27/2020)

10/30/2020	<u>31</u>	STIPULATION WITH PROPOSED ORDER re <u>1</u> Complaint to <i>Extend Time to Respond to Complaint</i> filed by Alameda County Behavioral Health Care Services, County of Alameda. (Lara, Raymond) (Filed on 10/30/2020) (Entered: 10/30/2020)
10/30/2020	<u>32</u>	STIPULATION AND ORDER by Judge Charles R. Breyer: Granting <u>31</u> Stipulation to extend time to respond. (lsS, COURT STAFF) (Filed on 10/30/2020) (Entered: 10/30/2020)
11/10/2020	<u>33</u>	OPPOSITION/RESPONSE (re <u>17</u> MOTION to Dismiss and MOTION to Strike <u>1</u> Complaint) <i>Plaintiff's Opposition to Defendant Alameda Health System's Motion to Dismiss Plaintiff's Complaint and Motion to Strike</i> filed by Disability Rights California. (Attachments: # <u>1</u> Plaintiff Disability Rights California's Request for Judicial Notice in Opposition to Defendant Alameda Health System's Motion to Dismiss and Motion to Strike)(Lee, Andrew) (Filed on 11/10/2020) (Entered: 11/10/2020)
11/12/2020	<u>34</u>	NOTICE of Change of Address by Andrew Paul Lee (Lee, Andrew) (Filed on 11/12/2020) (Entered: 11/12/2020)
11/24/2020	<u>35</u>	NOTICE of Appearance by Katrina Angela Pagonis (Pagonis, Katrina) (Filed on 11/24/2020) (Entered: 11/24/2020)
11/24/2020	<u>36</u>	NOTICE of Appearance by Jordan Richea Clark Kearney (Kearney, Jordan) (Filed on 11/24/2020) (Entered: 11/24/2020)
11/24/2020	<u>37</u>	NOTICE of Appearance by Linda Randlett Kollar (Kollar, Linda) (Filed on 11/24/2020) (Entered: 11/24/2020)
11/24/2020	<u>38</u>	REPLY (re <u>17</u> MOTION to Dismiss and MOTION to Strike <u>1</u> Complaint) filed by Alameda Health System. (Attachments: # <u>1</u> Declaration of David Abella, # <u>2</u> Errata to Defendant Alameda Health System's Motion to Dismiss Plaintiff's Complaint and Motion to Strike)(Trembly, Gymmel) (Filed on 11/24/2020) (Entered: 11/24/2020)
11/24/2020	<u>39</u>	MOTION to Dismiss [<i>NOTICE AND MOTION TO DISMISS; MEMORANDUM IN SUPPORT THEREOF</i>] filed by Alameda County Behavioral Health Care Services, County of Alameda. Responses due by 12/8/2020. Replies due by 12/15/2020. (Kearney, Jordan) (Filed on 11/24/2020) (Entered: 11/24/2020)

11/24/2020	<u>40</u>	Request for Judicial Notice re <u>39</u> MOTION to Dismiss [<i>NOTICE AND MOTION TO DISMISS; MEMORANDUM IN SUPPORT THEREOF</i>] filed by Alameda County Behavioral Health Care Services, County of Alameda. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Related document(s) <u>39</u>) (Kearney, Jordan) (Filed on 11/24/2020) (Entered: 11/24/2020)
11/24/2020	<u>41</u>	Proposed Order re <u>39</u> MOTION to Dismiss [<i>NOTICE AND MOTION TO DISMISS; MEMORANDUM IN SUPPORT THEREOF</i>] by Alameda County Behavioral Health Care Services, County of Alameda. (Kearney, Jordan) (Filed on 11/24/2020) (Entered: 11/24/2020)
11/30/2020	42	CLERK'S NOTICE VACATING Motion to Dismiss and Motion to Strike hearing set for December 10, 2020 before the Honorable Charles R. Breyer.. (<i>This is a text-only entry generated by the court. There is no document associated with this entry.</i>). Motion Hearing reset for 1/28/2021 at 10:00 AM in San Francisco, - Videoconference Only before Judge Charles R. Breyer. This proceeding will be held via a Zoom webinar. Webinar Access: All counsel, members of the public, and media may access the webinar information at <u>https://www.cand.uscourts.gov/crb</u> Court Appearances: Advanced notice is required of counsel or parties who wish to be identified by the court as making an appearance or will be participating in the argument at the hearing. A list of names and emails must be sent to the CRD at <u>crbcrd@cand.uscourts.gov</u> no later than January 26, 2021 at 2:00 PM PST. General Order 58. Persons granted access to court proceedings held by telephone or videoconference are reminded that photographing, recording, and rebroadcasting of court proceedings, including screenshots or other visual copying of a hearing, is absolutely prohibited. Zoom Guidance and Setup: <u>https://www.cand.uscourts.gov/zoom/</u>. Motion Hearing set for 1/28/2021 10:00 AM in San Francisco, - Videoconference Only before Judge Charles R. Breyer. (lsS, COURT STAFF) (Filed on 11/30/2020) (Entered: 11/30/2020)

11/30/2020		Set/Reset Deadlines as to 17 MOTION to Dismiss <i>and</i> MOTION to Strike 1 Complaint , 39 MOTION to Dismiss [<i>NOTICE AND MOTION TO DISMISS; MEMORANDUM IN SUPPORT THEREOF</i>]. Motion Hearing set for 1/28/2021 10:00 AM in San Francisco, - Videoconference Only before Judge Charles R. Breyer. (lsS, COURT STAFF) (Filed on 11/30/2020) (Entered: 11/30/2020)
12/03/2020	43	STIPULATION WITH PROPOSED ORDER <i>Regarding Briefing Schedule for Motion to Dismiss</i> filed by Disability Rights California. (Lee, Andrew) (Filed on 12/3/2020) (Entered: 12/03/2020)
12/04/2020	44	STIPULATION AND ORDER Regarding Briefing Schedule for Motion to Dismiss by Judge Charles R. Breyer: Granting 43 Stipulation. Opposition due by 12/23/2020. Replies due by 1/14/2021.(lsS, COURT STAFF) (Filed on 12/4/2020) (Entered: 12/04/2020)
12/09/2020	45	ADMINISTRATIVE MOTION for Leave to File Sur-Reply in Opposition to Defendant Alameda Health System's Motion to Dismiss re 17 MOTION to Dismiss <i>and</i> MOTION to Strike 1 Complaint filed by Disability Rights California. Responses due by 12/14/2020. (Attachments: # 1 Exhibit 1 - Plaintiff's Sur-Reply in Opposition to Defendant Alameda Health System's Motion to Dismiss, # 2 Declaration of Linda M. Dardarian in Support of Plaintiff 's Administrative Motion for Leave to File Sur-Reply in Opposition to Defendant Alameda Health System's Motion to Dismiss, # 3 Proposed Order Granting Plaintiff 's Administrative Motion for Leave to File Sur-Reply in Opposition to Defendant Alameda Health System's Motion to Dismiss)(Dardarian, Linda) (Filed on 12/9/2020) (Entered: 12/09/2020)
12/14/2020	46	OPPOSITION/RESPONSE (re 45 ADMINISTRATIVE MOTION for Leave to File Sur-Reply in Opposition to Defendant Alameda Health System's Motion to Dismiss re 17 MOTION to Dismiss <i>and</i> MOTION to Strike 1 Complaint) filed by Alameda Health System. (Attachments: # 1 Declaration of Gymmel M. Trembly, # 2 Proposed Order Denying Plaintiff's Motion for Leave to File Surreply to Motion to Dismiss)(Trembly, Gymmel) (Filed on 12/14/2020) (Entered: 12/14/2020)
12/23/2020	47	OPPOSITION/RESPONSE (re 39 MOTION to Dismiss [<i>NOTICE AND MOTION TO DISMISS; MEMORANDUM IN SUPPORT</i>

		<i>THEREOF</i>]) filed byDisability Rights California. (Lee, Andrew) (Filed on 12/23/2020) (Entered: 12/23/2020)
01/14/2021	48	REPLY (re 39 MOTION to Dismiss [<i>NOTICE AND MOTION TO DISMISS; MEMORANDUM IN SUPPORT THEREOF</i>]) <i>IN SUPPORT OF MOTION TO DISMISS</i> filed byAlameda County Behavioral Health Care Services, County of Alameda. (Kearney, Jordan) (Filed on 1/14/2021) (Entered: 01/14/2021)
01/14/2021	49	Request for Judicial Notice re 48 Reply to Opposition/Response, <i>SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF REPLY TO OPPOSITION TO MOTION TO DISMISS</i> filed byAlameda County Behavioral Health Care Services, County of Alameda. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Related document(s) 48) (Kearney, Jordan) (Filed on 1/14/2021) (Entered: 01/14/2021)
01/21/2021	50	ORDER by Judge Charles R. Breyer granting 39 Motion to Dismiss; granting 45 Administrative Motion for leave to file sur-reply; granting 17 Motion to Dismiss; denying 17 Motion to Strike. Plaintiff shall have 30 days from the date of this order to file an amended complaint. (crblc2, COURT STAFF) (Filed on 1/21/2021) (Entered: 01/21/2021)
02/19/2021	51	NOTICE of Change of Address by Aaron Joseph Fischer (Fischer, Aaron) (Filed on 2/19/2021) (Entered: 02/19/2021)
02/22/2021	52	AMENDED COMPLAINT against Alameda County Behavioral Health Care Services, County of Alameda. Filed by Disability Rights California. (Lee, Andrew) (Filed on 2/22/2021) (Entered: 02/22/2021)
03/04/2021	53	STIPULATION WITH PROPOSED ORDER <i>TO EXTEND TIME TO RESPOND TO FIRST AMENDED COMPLAINT</i> filed by Alameda County Behavioral Health Care Services, County of Alameda. (Kearney, Jordan) (Filed on 3/4/2021) (Entered: 03/04/2021)
03/04/2021	54	STIPULATION <i>TO EXTEND TIME TO RESPOND TO FIRST AMENDED COMPLAINT (correction of Docket Document 53, which incorrectly was labeled as "Stipulation WITH Proposed Order")</i> filed by Alameda County Behavioral Health Care Services, County of Alameda. (Kearney, Jordan) (Filed on 3/4/2021) (Entered: 03/04/2021)

PACER Service Center			
Transaction Receipt			
03/04/2021 18:33:19			
PACER Login:	CRClearinghouse:2563377:0	Client Code:	
Description:	Docket Report	Search Criteria:	3:20-cv-05256-CRB
Billable Pages:	8	Cost:	0.80