

CIVIL,CLOSED

**U.S. District Court
Eastern District of California – Live System (Fresno)
CIVIL DOCKET FOR CASE #: 1:06-cv-01445-LJO-SKO**

Kincaid et al v. City Of Fresno et al
Assigned to: District Judge Lawrence J. O'Neill
Referred to: Magistrate Judge Sheila K. Oberto
Cause: 42:1981 Civil Rights

Date Filed: 10/17/2006
Date Terminated: 07/29/2008
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Pamela Kincaid

represented by **Michael Temple Risher**
American Civil Liberties Union of
Northern California
39 Drumm St.
San Francisco, CA 94111
415-621-2493
Fax: 415-255-8437
Email: mrisher@aclunc.org
LEAD ATTORNEY

Paul Alexander
Arnold & Porter LLP
Suite 110
1801 Page Mill Road
Palo Alto, CA 94304
650-798-2921
Fax: 650-798-2999
Email: Paul.Alexander@aporter.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Doug Deatherage

represented by **Michael Temple Risher**
(See above for address)
LEAD ATTORNEY

Paul Alexander
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Charlene Clay

represented by **Eric Lloyd**
Seyfarth Shaw LLP (San Francisco)
560 Mission Street
Suite 3100
San Francisco, CA 94105
415-544-1060
Fax: 415-397-8549
Email: elloyd@seyfarth.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Temple Risher
(See above for address)
LEAD ATTORNEY

Paul Alexander
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

Cynthia Greene

represented by **Michael Temple Risher**
(See above for address)
LEAD ATTORNEY

Paul Alexander
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Joanna Garcia

represented by **Michael Temple Risher**
(See above for address)
LEAD ATTORNEY

Paul Alexander
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Randy Johnson

represented by **Michael Temple Risher**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Alexander
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

City Of Fresno

represented by **James B. Betts**
Betts, Rubin & McGuinness
907 Santa Fe Avenue
Suite 201
Fresno, Ca 93721
(559) 438-8500
Fax: (559) 438-6959
Email: br@bettsrubinlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Alexander
(See above for address)

Defendant

**California Department of
Transportation**

represented by **David Paul Harris**
Caltrans Legal Division
1120 N Street, Ms57
Sacramento, CA 95814
916-654-2630
Fax: 916-654-6128
Email: david.harris@dot.ca.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Navtej Singh Bassi
California Department of Transportation
Legal Division
1120 N Street
Sacramento, CA 95814
(916) 654-2630, ext. 3128
Fax: (916) 654-6128
Email: Navtej_Bassi@dot.ca.gov
ATTORNEY TO BE NOTICED

Paul Alexander
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Alan Autry

represented by **James B. Betts**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Jerry Dyer

represented by **James B. Betts**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Greg Garner

represented by **James B. Betts**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Reynaud Wallace

represented by **James B. Betts**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Will Kempton

represented by **David Paul Harris**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Navtej Singh Bassi
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John Rogers

represented by **James B. Betts**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Phillip Weathers

represented by **James B. Betts**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**James Province**

represented by **David Paul Harris**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Navtej Singh Bassi
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Daryl Glenn**

represented by **David Paul Harris**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Navtej Singh Bassi
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/17/2006	<u>1</u>	COMPLAINT <i>for Declaratory and Injunctive Relief and for Damages</i> against all defendants by Pamela Kincaid. Attorney Alexander, Paul added. (Attachments: # <u>1</u> Exhibit)(Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>2</u>	CIVIL COVER SHEET by Pamela Kincaid (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>3</u>	MOTION for TEMPORARY RESTRAINING ORDER <i>and Preliminary Injunction</i> by Pamela Kincaid. (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>4</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>3</u> MOTION for TEMPORARY RESTRAINING ORDER <i>and Preliminary Injunction. Memorandum of Points and Authorities in Support of Motion for Temporary Restraining Order and for Order to Show Cause re Issuance of a Preliminary Injunction</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>5</u>	DECLARATION of Charlene Clay in Support of. <i>Motion for Temporary Restraining Order and Preliminary Injunction</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>6</u>	DECLARATION of Doug Deatherage in Support of. <i>Motion for Temporary Restraining Order and Preliminary Injunction</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>7</u>	DECLARATION of Joanna Garcia in Support of. <i>Motion for Temporary Restraining Order and Preliminary Injunction</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>8</u>	DECLARATION of Cynthia Greene in Support of. <i>Motion for Temporary Restraining Order and Preliminary Injunction</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>9</u>	DECLARATION of Randy Johnson in Support of. <i>Motion for Temporary Restraining Order and Preliminary Injunction</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>10</u>	DECLARATION of Pamela Kincaid in Support of. <i>Motion for Temporary Restraining Order and Preliminary Injunction</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>11</u>	DECLARATION of Pamela Streeter in Support of. <i>Motion for Temporary Restraining Order and Preliminary Injunction</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>12</u>	DECLARATION of Samuel Vizcarrondo in Support of. <i>Motion for Temporary Restraining Order and Preliminary Injunction</i> (Alexander, Paul) (Entered: 10/17/2006)

10/17/2006	<u>13</u>	DECLARATION of Tracy Williams in Support of. <i>Motion for Temporary Restraining Order and Preliminary Injunction</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>14</u>	DECLARATION of Michael Rhodes in Support of re <u>3</u> MOTION for TEMPORARY RESTRAINING ORDER <i>and Preliminary Injunction</i> . (Attachments: # <u>1</u> Appendix # <u>2</u> Appendix # <u>3</u> Appendix # <u>4</u> Appendix # <u>5</u> Appendix # <u>6</u> Appendix # <u>7</u> Appendix)(Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>15</u>	DECLARATION of Liza Apper in Support of re <u>3</u> MOTION for TEMPORARY RESTRAINING ORDER <i>and Preliminary Injunction</i> . (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>16</u>	NOTICE by all plaintiffs re <u>3</u> MOTION for TEMPORARY RESTRAINING ORDER <i>and Preliminary Injunction</i> . Attorney Alexander, Paul added. <i>Temporary Restraining Order Checklist</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>17</u>	NOTICE by all plaintiffs. <i>Certificate of Counsel re Notice (Fed. R. Civ. 65(b))</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>18</u>	PROPOSED ORDER Proposed Temporary Restraining Order and Order to Show Cause re Preliminary Injunction by Pamela Kincaid. (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006	<u>19</u>	CERTIFICATE of SERVICE by Pamela Kincaid. <i>Proof of Service</i> (Alexander, Paul) (Entered: 10/17/2006)
10/17/2006		RECEIPT number 100 204082 for \$350.00 for Civil Filing Fee from Paul Alexander. (Gil-Garcia, A) (Entered: 10/17/2006)
10/17/2006	<u>21</u>	SUMMONS ISSUED as to *Alan Autry, Jerry Dyer, Greg Garner, Reynaud Wallace, Will Kempton, City Of Fresno, California Department of Transportation/CALTRANS* with answer to complaint due within *20* days. Attorney *Paul Alexander* *Heller Ehrman LLP* *275 Middlefield Road* *Menlo Park, CA 94025-3506*. (Gil-Garcia, A) (Entered: 10/17/2006)
10/17/2006	<u>22</u>	CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 2/22/2007 at 08:45 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Consent Forms # <u>2</u> VDRP Forms) (Gil-Garcia, A) (Entered: 10/17/2006)
10/18/2006	<u>23</u>	MEMORANDUM/RESPONSE in OPPOSITION. Attorney Betts, James B. added. <i>to Application for Temporary Restraining Order</i> (Betts, James) (Entered: 10/18/2006)
10/18/2006	<u>24</u>	MEMORANDUM/RESPONSE in OPPOSITION. <i>to Application for Temporary Restraining Order (corrected)</i> (Betts, James) (Entered: 10/18/2006)
10/18/2006	<u>25</u>	DECLARATION of Rev. Larry J. Arce in Support of Opposition to Ex Parte Application. (Betts, James) (Entered: 10/18/2006)
10/18/2006	<u>26</u>	DECLARATION of James Connell in Support of Opposition to Ex Parte Application. (Betts, James) (Entered: 10/18/2006)
10/18/2006	<u>27</u>	DECLARATION of Kerry Trost in Support of Opposition to Ex Parte Application. (Betts, James) (Entered: 10/18/2006)
10/18/2006	<u>28</u>	DECLARATION of Capt. Greg Garner in Support of Opposition to Ex Parte Application. (Betts, James) (Entered: 10/18/2006)
10/18/2006	<u>29</u>	DECLARATION of Rebecca E. Klisch in Support of Opposition to Ex Parte Application. (Betts, James) (Entered: 10/18/2006)
10/18/2006	<u>30</u>	MEMORANDUM/RESPONSE in OPPOSITION. <i>to Ex Parte Application (corrected POS)</i> (Betts, James) (Entered: 10/18/2006)
10/19/2006	31	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : MOTION FOR TEMPORARY RESTRAINING ORDER HEARING held on 10/19/2006. Parties to submit form of order. Hearing on Preliminary Injunction to be set out in order. Plaintiffs Counsel M. Richer / W. Salstrom present. Defendants Counsel J. Betts / J. Sanchez present. Court Reporter/CD Number: P. Crawford. (Robles, S) (Entered: 10/19/2006)

10/23/2006	<u>32</u>	TRANSCRIPT of Application for TRO held on 10/19/06 before Judge Oliver W. Wanger. Court Reporter: Peggy J. Crawford. (TEXT ONLY) (Lundstrom, T) (Entered: 10/23/2006)
10/23/2006	<u>33</u>	SUMMONS ISSUED as to *John Rogers, Phillip Weathers* with answer to complaint due within *20* days. Attorney *Paul Alexander* *Heller Ehrman LLP* *275 Middlefield Road* *Menlo Park, CA 94025-3506*. (Gil-Garcia, A) (Entered: 10/23/2006)
10/24/2006	<u>34</u>	STATEMENT OF DECISION and findings re: plaintiffs application for temporary restraining order. Hearing on preliminary injunction set for 11/7/2006 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. signed by Judge Oliver W. Wanger on 10/23/2006. (Lucas, G) (Entered: 10/24/2006)
10/25/2006	<u>35</u>	PROPOSED ORDER Proposed Order by Pamela Kincaid. (Alexander, Paul) (Entered: 10/25/2006)
10/25/2006	<u>36</u>	TEMPORARY RESTRAINING ORDER AND ORDER re Preliminary Injunction Hearing. Opposition by 11/1/06. Reply by 11/6/06 and hearing set for 11/7/06 at 9:00am before Judge Oliver W. Wanger; signed by Judge Oliver W. Wanger on 10/25/06. (Robles, S) (Entered: 10/25/2006)
11/01/2006	<u>37</u>	MEMORANDUM/RESPONSE in OPPOSITION. <i>to Application for Preliminary Injunction</i> (Betts, James) (Entered: 11/01/2006)
11/02/2006	<u>38</u>	NOTICE by City Of Fresno. <i>Notice of Intent to Introduce Witness Testimony at 11/7/06 Preliminary Injunction Hearing</i> (Betts, James) (Entered: 11/02/2006)
11/06/2006	<u>39</u>	DECLARATION of Rev. Larry J. Arce in In Opposition to Application for Preliminary Injunction. (Betts, James) (Entered: 11/06/2006)
11/06/2006	<u>40</u>	MEMORANDUM/RESPONSE in SUPPORT. <i>OF PLAINTIFFS' REPLY BRIEF IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION</i> (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>41</u>	DECLARATION of Liza Apper in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. <i>OF PLAINTIFFS REPLY IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION</i> (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>42</u>	DECLARATION of Tulin Ozdeger in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>43</u>	DECLARATION of Reverend Floyd Harris in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>44</u>	DECLARATION of Rebecca Asami in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>45</u>	DECLARATION of John Brown, Jr. in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>46</u>	DECLARATION of Britney Fairburn in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>47</u>	DECLARATION of Edward Grider in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>48</u>	DECLARATION of Jeannine Nelson in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>49</u>	DECLARATION of Randy Johnson, Sr. in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Attachments: # <u>1</u> Appendix A)(Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>50</u>	DECLARATION of Louis Jimenez in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)

11/06/2006	<u>51</u>	DECLARATION of Willie Mack in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>52</u>	DECLARATION of Keth O'Brien in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>53</u>	DECLARATION of Deanna Phillips in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>54</u>	DECLARATION of Emilio Rodriguez in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>55</u>	DECLARATION of David A. Snow in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>56</u>	DECLARATION of Logan Siler in SUPPORT OF re <u>40</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>57</u>	REQUEST for <i>Judicial Notice of Documents Filed in U.S. District Court</i> by Pamela Kincaid. (Attachments: # <u>1</u> Exhibit Exhibit A# <u>2</u> Exhibit Exhibit B)(Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>58</u>	DECLARATION of Michael Rhodes. (<i>Supplemental</i>) (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>59</u>	CERTIFICATE of SERVICE by Pamela Kincaid. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>60</u>	SUMMONS RETURNED EXECUTED by Pamela Kincaid. City Of Fresno served on 10/25/2006, answer due 11/14/2006. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>61</u>	SUMMONS RETURNED EXECUTED by Pamela Kincaid. Alan Autry served on 10/25/2006, answer due 11/14/2006. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>62</u>	SUMMONS RETURNED EXECUTED by Pamela Kincaid. California Department of Transportation/CALTRANS served on 10/24/2006, answer due 11/13/2006. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>63</u>	SUMMONS RETURNED EXECUTED by Pamela Kincaid. Jerry Dyer served on 10/25/2006, answer due 11/14/2006. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>64</u>	SUMMONS RETURNED EXECUTED by Pamela Kincaid. Greg Garner served on 10/25/2006, answer due 11/14/2006. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>65</u>	SUMMONS RETURNED EXECUTED by Pamela Kincaid. Will Kempton served on 10/24/2006, answer due 11/13/2006. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>66</u>	SUMMONS RETURNED EXECUTED by Pamela Kincaid. John Rogers served on 10/26/2006, answer due 11/15/2006. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>67</u>	SUMMONS RETURNED EXECUTED by Pamela Kincaid. Reynaud Wallace served on 10/25/2006, answer due 11/14/2006. (Alexander, Paul) (Entered: 11/06/2006)
11/06/2006	<u>68</u>	SUMMONS RETURNED EXECUTED by Pamela Kincaid. Phillip Weathers served on 10/26/2006, answer due 11/15/2006. (Alexander, Paul) (Entered: 11/06/2006)
11/07/2006	69	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : EVIDENTIARY HEARING held on 11/7/2006. Testimony received and exhibits admitted. Further Evidentiary Hearing set for 11/16/2006 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Witnesses: Liza Apper, James Connell, Floyd Harris, Jr.)Court Reporter/CD Number: K. Lopez. (Lucas, G) (Entered: 11/08/2006)
11/08/2006	<u>70</u>	APPENDIX by Pamela Kincaid re <u>58</u> Declaration filed by Pamela Kincaid,. (<i>Appendix A to Supplemental Declaration of Michael Rhodes</i>) (Alexander, Paul) (Entered: 11/08/2006)

11/09/2006	<u>71</u>	APPENDIX by Pamela Kincaid re <u>55</u> Declaration filed by Pamela Kincaid,. (<i>Appendix A to DECLARATION of David A. Snow</i>) (Alexander, Paul) (Entered: 11/09/2006)
11/13/2006	<u>72</u>	STIPULATION FOR EXTENSION OF TIME BY AND BETWEEN PLAINTIFFS CALIFORNIA DEPT OF TRANSPORTATION AND WILL KEMPTON IN HIS OFFICIAL CAPACITY by California Department of Transportation/CALTRANS. Attorney Bassi, Navtej Singh added. (Bassi, Navtej) (Entered: 11/13/2006)
11/13/2006	74	TRANSCRIPT of Preliminary Injunction Hearing, Volume 1 held on 11/7/06 before Judge Oliver W. Wanger. Court Reporter: Karen Lopez. (TEXT ONLY) (Lundstrom, T) (Entered: 11/15/2006)
11/14/2006	<u>73</u>	ANSWER to COMPLAINT with Jury Demand by John Rogers, Phillip Weathers, Alan Autry, Jerry Dyer, Greg Garner, Reynaud Wallace, City Of Fresno. Attorney Betts, James B. added.(Betts, James) (Entered: 11/14/2006)
11/16/2006	75	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : PRELIMINARY INJUNCTION HEARING held on 11/16/2006. Testimony received. Exhibits admitted. Hearing continued to 11/17/2006 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Plaintiffs Counsel P. Alexander present. Defendants Counsel J. Betts present. Court Reporter/CD Number: K. Lopez. (Robles, S) (Entered: 11/17/2006)
11/17/2006	76	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : MOTION FOR PRELIMINARY INJUNCTION HEARING held on 11/17/2006. Testimony received. Exhibits admitted. Motion Hearing continued to 11/22/2006 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Plaintiffs Counsel P. Alexander present. Defendants Counsel J. Betts present. Court Reporter/CD Number: K. Lopez. (Robles, S) (Entered: 11/20/2006)
11/21/2006	77	TRANSCRIPT of Hearing on Preliminary Injunction; Testimony of Andrew Souza held on 11/17/06 before Judge Oliver W. Wanger. Court Reporter: Karen Lopez. (TEXT ONLY) (Lundstrom, T) (Entered: 11/21/2006)
11/21/2006	78	TRANSCRIPT of Hearing on Preliminary Injunction; Testimony of Thomas Deatherage, Nelson Williams and Kincaid held on 11/16/06 before Judge Oliver W. Wanger. Court Reporter: Karen Lopez. (TEXT ONLY) (Lundstrom, T) (Entered: 11/21/2006)
11/22/2006	79	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : MOTION FOR PRELIMINARY INJUNCTION HEARING held on 11/22/2006. Testimony received. Exhibits admitted. Parties rest. Closing arguments. Court GRANTS preliminary injunction. Counsel to submit proposed order. Plaintiffs Counsel P. Alexander present. Defendants Counsel J. Betts present. Court Reporter/CD Number: K. Lopez. (Robles, S) (Entered: 11/22/2006)
11/22/2006	<u>80</u>	ORDER Case Management due by 11/29/2006 for plaintiffs to submit proposed findings of fact and conclusions of law relative to the issuance of a preliminary injunction, signed by Judge Oliver W. Wanger on 11/22/06. (Robles, S) (Entered: 11/22/2006)
11/28/2006	81	TRANSCRIPT of Hearing on Preliminary Injunction Ruling held on 11/22/06 before Judge Wanger. Court Reporter: Karen Lopez. Tape Number: None. (TEXT ONLY ENTRY) (Hellings, J) (Entered: 11/28/2006)
11/28/2006	<u>82</u>	PROPOSED ORDER Granting Preliminary Injunction. (Betts, James) (Entered: 11/28/2006)
11/29/2006	<u>83</u>	BRIEF PLAINTIFFS PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW by Pamela Kincaid. (Alexander, Paul) (Entered: 11/29/2006)
11/29/2006	<u>84</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>83</u> Brief. (Alexander, Paul) (Entered: 11/29/2006)
11/30/2006	<u>85</u>	PROPOSED ORDER GRANTING PRELIMINARY INJUNCTION by Pamela Kincaid. (Alexander, Paul) (Entered: 11/30/2006)
11/30/2006	<u>86</u>	AMENDED DOCUMENT by City Of Fresno.. <i>Alternative Proposed Order</i> (Betts, James) (Entered: 11/30/2006)

12/04/2006	<u>87</u>	CERTIFICATE of SERVICE by Pamela Kincaid. (Alexander, Paul) (Entered: 12/04/2006)
12/04/2006	<u>88</u>	STATEMENT of City of Fresno – Ltr to The Honorable Oliver Wanger by Defendant City Of Fresno. (Betts, James) (Entered: 12/04/2006)
12/04/2006	<u>89</u>	OBJECTIONS to FINDINGS and RECOMMENDATIONS by Defendant City Of Fresno. (Betts, James) (Entered: 12/04/2006)
12/04/2006	<u>90</u>	PROPOSED FINDINGS of FACT by City Of Fresno.(Betts, James) (Entered: 12/04/2006)
12/08/2006	<u>91</u>	STATEMENT OF DECISION AND FINDINGS RE: PLAINTIFFS' APPLICATION FOR A PRELIMINARY INJUNCTION AND PRELIMINARY INJUNCTION; signed by Judge Oliver W. Wanger on 12/8/06. (Robles, S) (Entered: 12/08/2006)
12/11/2006	<u>92</u>	PRELIMINARY INJUNCTION signed by Judge Oliver W. Wanger on 12/8/2006. (Lucas, G) (Entered: 12/11/2006)
12/13/2006	<u>93</u>	STIPULATION <i>RE FILING OF FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND FOR DAMAGES</i> by Pamela Kincaid. (Attachments: # <u>1</u> Exhibit A (FIRST AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND FOR DAMAGES)# <u>2</u> Certificate Certificate of Service)(Alexander, Paul) (Entered: 12/13/2006)
12/21/2006	<u>94</u>	ERRATA to Statement of Decision and Findings re Plaintiffs' Application for a Preliminary Injunction <u>91</u> ; signed by Judge Oliver W. Wanger on 12/18/06. (Rooney, M) (Entered: 12/21/2006)
12/28/2006	<u>95</u>	STIPULATION <i>to Extend Time to File Response</i> by California Department of Transportation/CALTRANS. (Bassi, Navtej) (Entered: 12/28/2006)
01/12/2007	<u>96</u>	MOTION to DISMISS for LACK of JURISDICTION , <i>etc.</i> by California Department of Transportation/CALTRANS. Motion Hearing set for 3/12/2007 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Bassi, Navtej) (Entered: 01/12/2007)
01/12/2007	<u>97</u>	DECLARATION of David P. Harris in SUPPORT OF re <u>96</u> MOTION to DISMISS for LACK of JURISDICTION , <i>etc.</i> . (Bassi, Navtej) (Entered: 01/12/2007)
01/12/2007	<u>98</u>	PROPOSED ORDER [PROPOSED] ORDER re <u>96</u> MOTION to DISMISS for LACK of JURISDICTION , <i>etc.</i> . (Bassi, Navtej) (Entered: 01/12/2007)
02/07/2007	<u>99</u>	<i>First</i> AMENDED COMPLAINT against all defendants by Pamela Kincaid.(Alexander, Paul) (Entered: 02/07/2007)
02/07/2007	<u>100</u>	STIPULATION re <u>99</u> Amended Complaint by Pamela Kincaid. (Alexander, Paul) (Entered: 02/07/2007)
02/07/2007	<u>101</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>99</u> Amended Complaint, <u>100</u> Stipulation. (Alexander, Paul) (Entered: 02/07/2007)
02/08/2007	<u>102</u>	SUMMONS ISSUED as to *James Province, Daryl Glenn* with answer to complaint due within *20* days. Attorney *Paul Alexander* *Heller Ehman LLP* *275 Middlefield Road* *Menlo Park, CA 94025-3506*. (Gil-Garcia, A) (Entered: 02/08/2007)
02/09/2007	104	TRANSCRIPT of hearing on preliminary injunction held on 11/16/06 before Judge Wanger (volume 2); Court Reporter – K. Lopez. (TEXT ONLY) (Rooney, M) (Entered: 02/13/2007)
02/09/2007	105	TRANSCRIPT of hearing on preliminary injunction held on 11/17/06 before Judge Wanger (volume 3); Court Reporter – K. Lopez. (TEXT ONLY) (Rooney, M) (Entered: 02/13/2007)
02/09/2007	106	TRANSCRIPT of hearing on preliminary injunction held on 11/22/07 before Judge Wanger (volume 4); Court Reporter – K. Lopez. (TEXT ONLY) (Rooney, M) (Entered: 02/13/2007)

02/12/2007	<u>103</u>	MINUTE ORDER: TEXT ONLY ENTRY – Pursuant to the agreement of counsel, the Scheduling Conference currently set for 2/22/07 has been continued to 3/1/2007 at 08:45 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Robles, S) (Entered: 02/12/2007)
02/22/2007	<u>107</u>	JOINT SCHEDULING REPORT by Pamela Kincaid. (Alexander, Paul) (Entered: 02/22/2007)
02/22/2007	<u>108</u>	SECOND AMENDED COMPLAINT against all defendants by Pamela Kincaid.(Alexander, Paul) (Entered: 02/22/2007)
02/22/2007	<u>109</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>108</u> Amended Complaint, <u>107</u> Scheduling Report. (Alexander, Paul) (Entered: 02/22/2007)
02/23/2007	<u>110</u>	MEMORANDUM/RESPONSE in OPPOSITION. <i>PLAINTIFFS OPPOSITION TO MOTION TO DISMISS UNDER Fed. R. Civ. P. 12(b)(1), 12(b)(6), 12(e), AND 12(f)</i> (Attachments: # <u>1</u> Declaration OF PAUL ALEXANDER IN SUPPORT OF PLAINTIFFS OPPOSITION TO MOTION TO DISMISS UNDER Fed. R. Civ. P. 12(b)(1), 12(b)(6), 12(e), AND 12(f)# <u>2</u> Exhibit A to DECLARATION OF PAUL ALEXANDER IN SUPPORT OF PLAINTIFFS OPPOSITION TO MOTION TO DISMISS UNDER Fed. R. Civ. P. 12(b)(1), 12(b)(6), 12(e), AND 12(f))(Alexander, Paul) (Entered: 02/23/2007)
02/23/2007	<u>111</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>110</u> Memorandum/Response in Opposition to Motion,. (Alexander, Paul) (Entered: 02/23/2007)
03/01/2007	<u>112</u>	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : SCHEDULING CONFERENCE held on 3/1/2007. Order to follow. Court Reporter/CD Number: P. Crawford. (Robles, S) (Entered: 03/01/2007)
03/01/2007	<u>113</u>	Second AMENDED COMPLAINT against all defendants by Pamela Kincaid.(Alexander, Paul) (Entered: 03/01/2007)
03/01/2007	<u>114</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>113</u> Amended Complaint. (Alexander, Paul) (Entered: 03/01/2007)
03/02/2007	<u>115</u>	REPLY to RESPONSE to MOTION. of Defendant Kempton (Bassi, Navtej) (Entered: 03/02/2007)
03/06/2007	<u>116</u>	SUMMONS RETURNED EXECUTED by Pamela Kincaid. James Province served on 2/28/2007, answer due 3/20/2007; Daryl Glenn served on 3/1/2007, answer due 3/21/2007. (Alexander, Paul) (Entered: 03/06/2007)
03/07/2007	<u>117</u>	SCHEDULING ORDER signed by Judge Oliver W. Wanger on 3/6/07 ORDERING Discovery due by 1/31/2008. Non-Dispositive Motions due by 2/15/2008. Dispositive Motion due by 2/28/2008. Settlement Conference Date (to be scheduled). Pretrial Conference set for 5/5/2008 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Jury Trial set for 6/10/2008 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Carter-Ford, R) (Entered: 03/07/2007)
03/09/2007	<u>118</u>	STIPULATION for Extension of Time to File Response to Second Amended Complaint, etc. by Daryl Glenn. Attorney Bassi, Navtej Singh added. (Bassi, Navtej) (Entered: 03/09/2007)
03/12/2007	<u>119</u>	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : MOTION TO DISMISS HEARING held on 3/12/2007. Matter argued and submitted. Order to be prepared by the court. Court Reporter/CD Number: ECRO. (Robles, S) (Entered: 03/12/2007)
03/19/2007	<u>120</u>	MEMORANDUM, OPINION and ORDER DENYING defendant Kempton's <u>96</u> motion to dismiss for failure to state a claim under Rule 8(a); motion to dismiss based on Eleventh Amendment sovereign immunity;; motion to dismiss on unclean hands; motion to dismiss for a more definite statement pursuant to Rule 12(e); and motion to strike pursuant to Rule 12(f); motions terminated; order signed by Judge Oliver W. Wanger on 3/16/07. (Rooney, M) (Entered: 03/19/2007)
03/23/2007	<u>121</u>	ANSWER to AMENDED COMPLAINT (Second Amended Complaint) by Will Kempton.(Bassi, Navtej) (Entered: 03/23/2007)

03/27/2007	<u>122</u>	STIPULATION and PROPOSED ORDER Amending March 6, 2007 Scheduling Order by Pamela Kincaid. (Alexander, Paul) (Entered: 03/27/2007)
03/29/2007	<u>123</u>	STIPULATION and ORDER AMENDING 3/6/07 SCHEDULING ORDER signed by Judge Oliver W. Wanger on 3/27/07 ORDERING that Paragraphs 2(a) and (b), and paragraph 3 of the 3/6/07, <u>117</u> SchedulingOrder are hereby amended to provide that each party may submit written discovery to the other commencing on 5/1/07, that responses to that discovery will be due on 5/31/07, and the parties will endeavor to resolve any disputes pertaining to written discover by 6/30/07, if possible. (Carter-Ford, R) (Entered: 03/29/2007)
03/30/2007	<u>124</u>	ANSWER to AMENDED COMPLAINT (<i>Second Amended Complaint</i>) by Daryl Glenn.(Bassi, Navtej) (Entered: 03/30/2007)
03/30/2007	<u>125</u>	ANSWER to AMENDED COMPLAINT (<i>Second Amended Complaint</i>) by James Province.(Bassi, Navtej) (Entered: 03/30/2007)
03/30/2007	126	MINUTE ORDER: TEXT ONLY ENTRY – A Settlement Conference has been set in this matter for 4/12/2007 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Parties are to submit a Confidential Settlement Conference Statement directly to chambers (do not e-file) at least seven (7) days prior to the hearing. (Robles, S) (Entered: 03/30/2007)
04/05/2007	<u>127</u>	NOTICE by all plaintiffs. <i>NOTICE OF SUBMISSION OF CONFIDENTIAL SETTLEMENT CONFERENCE STATEMENT</i> (Alexander, Paul) (Entered: 04/05/2007)
04/12/2007	128	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : SETTLEMENT CONFERENCE held on 4/12/2007. Case did not settle. Plaintiffs Counsel P. Alexander present. Defendants Counsel J. Betts; D. Harris present. (Robles, S) (Entered: 04/13/2007)
05/25/2007	<u>129</u>	STIPULATION and PROPOSED ORDER Re Responding to First Set of Discovery Requests by Pamela Kincaid. (Alexander, Paul) (Entered: 05/25/2007)
05/29/2007	<u>130</u>	STIPULATION re Responding to First Set of Discovery Requests; ORDER – Discovery responses by 6/11/2007; resolve any disputes pertaining to written discovery by 6/30/2007. signed by Judge Sandra M. Snyder on 5/29/2007. (Herman, H) (Entered: 05/29/2007)
06/15/2007	<u>131</u>	MOTION to CERTIFY CLASS by Pamela Kincaid.Motion Hearing set for 7/24/2007 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Alexander, Paul) (Entered: 06/15/2007)
06/15/2007	<u>132</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>131</u> MOTION to CERTIFY CLASS. (Alexander, Paul) (Entered: 06/15/2007)
06/15/2007	<u>133</u>	PROPOSED ORDER re <u>131</u> MOTION to CERTIFY CLASS, <u>132</u> Memorandum/Response in Support of Motion by Pamela Kincaid. (Alexander, Paul) (Entered: 06/15/2007)
06/15/2007	<u>134</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>131</u> MOTION to CERTIFY CLASS, <u>133</u> Proposed Order, <u>132</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 06/15/2007)
07/02/2007	<u>135</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>131</u> MOTION to CERTIFY CLASS. (Betts, James) (Entered: 07/02/2007)
07/02/2007	<u>136</u>	DECLARATION of Kerry Trost in Opposition to re <u>131</u> MOTION to CERTIFY CLASS. (Betts, James) (Entered: 07/02/2007)
07/02/2007	<u>137</u>	JOINDER by Will Kempton in re <u>131</u> MOTION to CERTIFY CLASS filed by Pamela Kincaid. <i>JOINDER IN OPPOSITION</i> (Bassi, Navtej) (Entered: 07/02/2007)
07/03/2007	<u>138</u>	STIPULATION and PROPOSED ORDER re Deadline to Resolve Written Discovery Disputes by Pamela Kincaid. (Alexander, Paul) (Entered: 07/03/2007)
07/03/2007	139	MINUTE ORDER: ***TEXT ONLY ENTRY*** The Hearing re Motion to Certify Class currently set for 7/24/2007 has been continued to 7/30/2007 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Timken, A) (Entered: 07/03/2007)

		07/03/2007)
07/06/2007	<u>140</u>	STIPULATION and ORDER re deadline to resolve written discovery disputes; the parties shall endeavor to resolve any disputes to written discovery by 7/17/07; order signed by Judge Oliver W. Wanger on 7/3/07. (Rooney, M) (Entered: 07/06/2007)
07/06/2007	<u>141</u>	STIPULATION and PROPOSED ORDER Stipulation and proposed order by Pamela Kincaid, Doug Deatherage, Charlene Clay, Cynthia Greene, Joanna Garcia, Randy Johnson. Attorney Risher, Michael Temple added. (Risher, Michael) (Entered: 07/06/2007)
07/10/2007	<u>142</u>	STIPULATION and ORDER extending date to file plaintiffs' reply memorandum of points and authorities in support of motion for class certification signed by Judge Oliver W. Wanger on 7/10/2007. (Timken, A) (Entered: 07/10/2007)
07/11/2007	<u>143</u>	MEMORANDUM/RESPONSE in SUPPORT. <i>Plaintiffs' Reply Memorandum of Points and Authorities in Support of Motion for Class Certification</i> (Alexander, Paul) (Entered: 07/11/2007)
07/11/2007	<u>144</u>	DECLARATION of Paul Alexander in SUPPORT OF re <u>143</u> Memorandum/Response in Support of Motion. (Attachments: # <u>1</u> Exhibit 1-25# <u>2</u> Exhibit 26-50)(Alexander, Paul) (Entered: 07/11/2007)
07/11/2007	<u>145</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>144</u> Declaration, <u>143</u> Memorandum/Response in Support of Motion. (Alexander, Paul) (Entered: 07/11/2007)
07/30/2007	<u>146</u>	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : MOTION TO CERTIFY CLASS HEARING held on 7/30/2007. Motion is granted. Plaintiff to file proposed notice to class and plan by 9/4/2007. Hearing on class administration hearing is set for 9/17/2007 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Plaintiffs Counsel P. Alexander present. Defendants Counsel J. Betts/D. Harris present. Court Reporter/CD Number: K. Lopez and ECRO. (Lucas, G) (Entered: 07/31/2007)
08/14/2007	<u>147</u>	MEMORANDUM DECISION AND ORDER granting pltf's <u>131</u> MOTION to CERTIFY CLASS filed by Pamela Kincaid signed by Judge Oliver W. Wanger on 08/14/07. (Kusamura, W) (Entered: 08/14/2007)
09/04/2007	<u>148</u>	NOTICE by all plaintiffs. <i>Proposed Notice of Pendency of Class Action and Plan for Distribution of Class Notice</i> (Attachments: # <u>1</u> Exhibit A)(Alexander, Paul) (Entered: 09/04/2007)
09/13/2007	<u>149</u>	NOTICE by Will Kempton. <i>Response of Defendants Kempton, Province, and Glenn to Proposed Notice of Pendency of Class Action</i> (Bassi, Navtej) (Entered: 09/13/2007)
09/13/2007	<u>150</u>	REQUEST for <i>Status Conference and Appointment of Discovery Master to Supervise Discovery</i> by Pamela Kincaid. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Alexander, Paul) (Entered: 09/13/2007)
09/13/2007	<u>153</u>	TRANSCRIPT of Hearing re Motion to Certify Class held on 07/30/2007 before Judge Wanger. Court Reporter: ECRO. (TEXT ONLY) (Arellano, S.) (Entered: 09/17/2007)
09/14/2007	<u>151</u>	NOTICE by all plaintiffs. <i>PLAINTIFFS REPLY TO DEFENDANTS WILL KEMPTON, JAMES PROVINCE, AND DARYL GLENNS RESPONSE TO PLAINTIFFS PROPOSED NOTICE OF PENDENCY OF CLASS ACTION</i> (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Alexander, Paul) (Entered: 09/14/2007)
09/14/2007	<u>152</u>	REPLY/RESPONSE to Notice of Class Action by John Rogers, Phillip Weathers, Alan Autry, Jerry Dyer, Greg Garner, Reynaud Wallace, City Of Fresno. (Betts, James) (Entered: 09/14/2007)
09/17/2007	<u>154</u>	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger : Class Administration Hearing held on 9/17/2007. Class notice is reviewed. Plaintiffs counsel to submit proposed order. Court Reporter/CD Number: K. Lopez. (Lucas, G) (Entered: 09/17/2007)
09/17/2007	<u>155</u>	TRANSCRIPT of Motion To Certify Class held on Monday, July 30, 2007 before Judge Oliver W. Wanger. Court Reporter: Karen Lopez. (TEXT ONLY) (Scrivner, E)

		(Entered: 09/18/2007)
09/20/2007	<u>156</u>	PROPOSED ORDER Re Notice of Pendency of Class Action and Distribution Plan by Pamela Kincaid. (Attachments: # <u>1</u> Exhibit A)(Alexander, Paul) (Entered: 09/20/2007)
09/20/2007	<u>157</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>156</u> Proposed Order. (Alexander, Paul) (Entered: 09/20/2007)
09/20/2007	<u>158</u>	NOTICE by all plaintiffs re <u>157</u> Certificate of Service, <u>156</u> Proposed Order. <i>Cover Letter To The Chambers of The Honorable Oliver W. Wanger</i> (Alexander, Paul) (Entered: 09/20/2007)
09/28/2007	<u>159</u>	NOTICE by all plaintiffs re <u>157</u> Certificate of Service, <u>156</u> Proposed Order, <u>158</u> Notice – Other – ATY. <i>Spanish Translation of Ex. A (Notice of Pendency of Class Action and Distribution Plan)</i> (Alexander, Paul) (Entered: 09/28/2007)
10/01/2007	<u>160</u>	DESIGNATION/DISCLOSURE of EXPERT WITNESS by Pamela Kincaid. (Alexander, Paul) (Entered: 10/01/2007)
10/01/2007	<u>161</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>160</u> Designation/Disclosure of Expert Witness. (Alexander, Paul) (Entered: 10/01/2007)
10/02/2007	<u>162</u>	ORDER re: Notice of Pendency of Class Action and Plan for Distribution of Class Action, signed by Judge Oliver W. Wanger on 09/28/2007. (Martin, S) (Entered: 10/02/2007)
10/30/2007	<u>163</u>	TRANSCRIPT of Class Administration Hearing held on Monday, September 17, 2007 before Judge Oliver W. Wanger. Court Reporter: Karen Lopez. (TEXT ONLY) (Martin, S) (Entered: 10/30/2007)
12/05/2007	<u>164</u>	EX PARTE APPLICATION by Pamela Kincaid for Ex Parte for An Order Requiring Defendant City of Fresno To Atten Deposition and Produce Documents. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Alexander, Paul) (Entered: 12/05/2007)
12/05/2007	<u>165</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>164</u> Ex Parte Application. (Alexander, Paul) (Entered: 12/05/2007)
12/06/2007	<u>166</u>	MINUTE ORDER (TEXT Only) signed by Judge Sandra M. Snyder on 12/6/2007: Court hereby Grants Plaintiff's <u>164</u> Ex Parte Application and SETS a Mandatory TELEPHONIC Status Conference re Depositions for 12/11/2007 at 10:00 AM in Courtroom 7 (SMS) before Judge Sandra M. Snyder. NOTE: Plaintiff's counsel will connect defense counsel by conference call and then place the call to Judge Snyder's chambers. A two page synopsis (no exhibits or attachments) from each side is due by Monday, Dec. 10, 2007 noon; fax to 559-494-3920. (Herman, H) (Entered: 12/06/2007)
12/10/2007	<u>167</u>	BRIEF <i>Synopsis Re ExParte Application for an Order Requiring Defendant City of Fresno to Attend Depositions and Produce Documents</i> by Pamela Kincaid. (Alexander, Paul) (Entered: 12/10/2007)
12/11/2007	<u>168</u>	MINUTES (Text Only Entry) for proceedings held before Judge Sandra M. Snyder: MANDATORY TELEPHONIC STATUS CONFERENCE re: depositions briefly held on 12/11/07 and CONTINUED to 12/12/07 @ 11:00am with Judge Snyder (SMS), due to the unavailability of Attorney Betts and in order for Judges Wanger and Snyder to confer. Plaintiffs' counsel to arrange the conference call. Signed by Judge Sandra M. Snyder on 12/11/07. Plaintiffs' Counsel Paul Alexander and Melyssa Minamoto telephonically present. Defendant's Counsel David Harris telephonically present. Court Reporter/CD Number: N/A. (Robles, F.) (Entered: 12/11/2007)
12/12/2007	<u>169</u>	MINUTES (Text Only Entry) for proceedings held before Judge Sandra M. Snyder: FURTHER TELEPHONIC STATUS CONFERENCE re: depositions held on 12/12/07. Court advised counsel that a mandatory conference call would be set sua sponte by the Court at the conclusion of Attorney Betts' trial before Judge Wanger. The Court assured plaintiffs' counsel that she understood the urgency re: obtaining discovery sought. Counsel were also advised that it appeared the scheduling order <u>117</u> dates would have to be amended by Judge Wanger. Plaintiffs' Counsel Paul Alexander and Melyssa Minamoto, Alan Schlosser and Michael Risher telephonically present. Defendant's Counsel David Harris present; James Betts NOT PRESENT.

		Court Reporter/CD Number: N/A. (Robles, F.) (Entered: 12/12/2007)
12/19/2007	170	MINUTES (Text Only Entry) for proceedings held before Judge Sandra M. Snyder: TELEPHONIC DISCOVERY DISPUTE re: Plaintiffs' ex parte application for an order requiring defendant City to attend depositions and produce documents <u>164</u> HELD on 12/19/07 and DENIED, without prejudice. Counsel agree to make themselves available for desired depositions the full week of 1/14–18/08. Attorney Betts will produce documents sought by Plaintiffs before the January depositions to the best of his ability, including but not limited to meeting minutes for police advisory board meetings, discussing the homeless, any and all protocols governing homeless "sweeps" or "clean-ups", e-mails/memoranda re: homeless problem/sweeps/clean-ups/relocations, etc. Attorney Betts expressed exception with requested budget documents. The Court opined their probable relevance if the City presented an "affordability defense" in pleadings/at hearings. Counsel shall continue to meet and confer re: document production and may meet telephonically with the Court at any time. Signed by Judge Sandra M. Snyder on 12/19/07. Plaintiffs' Counsel Paul Alexander and Melyssa Minamoto telephonically present. Defendants' Counsel James Betts and David Harris telephonically present. Court Reporter/CD Number: N/A. (Robles, F.) (Entered: 12/19/2007)
01/09/2008	<u>171</u>	DECLARATION of Eric Trostad in SUPPORT OF. <i>PLAINTIFFS REPORT ON CLASS OPT-OUTS</i> (Alexander, Paul) (Entered: 01/09/2008)
01/09/2008	<u>172</u>	CERTIFICATE of SERVICE by Doug Deatherage, Charlene Clay, Cynthia Greene, Joanna Garcia, Randy Johnson re <u>171</u> . (Alexander, Paul) (Entered: 01/09/2008)
02/15/2008	<u>173</u>	MOTION to COMPEL <i>Notice of Motion to Exclude Plaintiffs' Expert Testimony, etc.</i> by Will Kempton. Motion Hearing set for 3/21/2008 at 09:00 AM in Courtroom 7 (SMS) before Magistrate Judge Sandra M. Snyder. (Bassi, Navtej) (Entered: 02/15/2008)
02/15/2008	<u>174</u>	MOTION to COMPEL <i>Declaration of David P. Harris in Support Thereof</i> by Will Kempton. Motion Hearing set for 3/21/2008 at 09:00 AM in Courtroom 7 (SMS) before Magistrate Judge Sandra M. Snyder. (Bassi, Navtej) (Entered: 02/15/2008)
02/15/2008	<u>175</u>	PROPOSED ORDER proposed order re <u>174</u> MOTION to COMPEL <i>Declaration of David P. Harris in Support Thereof</i> , <u>173</u> MOTION to COMPEL <i>Notice of Motion to Exclude Plaintiffs' Expert Testimony, etc.</i> . (Bassi, Navtej) (Entered: 02/15/2008)
02/15/2008	<u>176</u>	MOTION to COMPEL <i>Points and authorities in support thereof</i> by Will Kempton. Motion Hearing set for 3/21/2008 at 09:00 AM in Courtroom 7 (SMS) before Magistrate Judge Sandra M. Snyder. (Bassi, Navtej) (Entered: 02/15/2008)
02/15/2008	<u>177</u>	MOTION to COMPEL <i>Exhibit 1 to Points and Authorities in Support thereof</i> by Will Kempton. Motion Hearing set for 3/21/2008 at 09:00 AM in Courtroom 7 (SMS) before Magistrate Judge Sandra M. Snyder. (Bassi, Navtej) (Entered: 02/15/2008)
02/15/2008	<u>178</u>	MOTION to COMPEL <i>Exhibits 2–6 to Points and Authorities in Support Thereof</i> by Will Kempton. Motion Hearing set for 3/21/2008 at 09:00 AM in Courtroom 7 (SMS) before Magistrate Judge Sandra M. Snyder. (Bassi, Navtej) (Entered: 02/15/2008)
02/15/2008	<u>179</u>	MOTION to COMPEL <i>Certificate and Proof of Service</i> by Will Kempton. Motion Hearing set for 3/21/2008 at 09:00 AM in Courtroom 7 (SMS) before Magistrate Judge Sandra M. Snyder. (Bassi, Navtej) (Entered: 02/15/2008)
02/15/2008	180	CLERK'S NOTICE to Navtej Bassi as to <u>174</u> , <u>176</u> , <u>177</u> , and <u>178</u> : When filing a motion, use the Motion event when filing the <i>MOTION DOCUMENT ONLY</i> . Documents filed in support of your motion should be filed as attachments to your motion document, or individually using the specific event such as Declaration, Memorandum in Support, etc., found under the heading Motion–Related Documents. If you need assistance, please contact the CM/ECFhelp desk at 866–884–5444; and <u>179</u> : When filing a proof of service, use the event Certificate of Service. (Hellings, J) (Entered: 02/15/2008)
02/20/2008	181	MINUTE ORDER (Text Only Entry) regarding Defendants' Motion to Exclude Plaintiffs' Expert Testimony, etc., or Compel Production of Experts' Reports and for Monetary Sanctions <u>173</u> : Local Rule 37–251(a) requires a joint statement re: discovery disputes be filed on or before three (3) court days prior to the scheduled

		hearing date. Defined as three (3) FULL court days prior to the hearing, Judge Snyder REQUIRES that the statement be filed no later than MIDNIGHT on the fourth (4th) FULL day (or Monday) prior to the (customary) hearing (on Friday). Any motion(s) will be dropped from the calendar IF the statement is not filed OR timely filed AND courtesy copies of any and all motions, including the 251 stipulation, declarations, and exhibits, properly tabbed, fastened, and identified, exceeding twenty-five (25) pages pursuant to Local Rule 5-133(f), are not delivered directly to chambers by 8:30 a.m. on the third (3rd) FULL day (or Tuesday) prior to the (customary) hearing (on Friday). Signed by Judge Sandra M. Snyder on 2/20/08. (Robles, F. (Entered: 02/20/2008))
02/28/2008	<u>182</u>	NOTICE of Motion for Summary Adjud, etc. by Will Kempton. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>183</u>	MOTION for SUMMARY JUDGMENT <i>part 1</i> by Will Kempton. Motion Hearing set for 2/3/2009 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>184</u>	MOTION for SUMMARY JUDGMENT <i>part 2</i> by Will Kempton. Motion Hearing set for 3/31/2008 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>185</u>	MOTION for SUMMARY JUDGMENT <i>part 3</i> by Will Kempton. Motion Hearing set for 3/31/2008 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>186</u>	EXHIBIT 1 re <u>184</u> MOTION for SUMMARY JUDGMENT <i>part 2</i> filed by Will Kempton, <u>185</u> MOTION for SUMMARY JUDGMENT <i>part 3</i> filed by Will Kempton, <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1</i> filed by Will Kempton. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>187</u>	EXHIBIT 2, <i>part a</i> re <u>184</u> MOTION for SUMMARY JUDGMENT <i>part 2</i> filed by Will Kempton, <u>185</u> MOTION for SUMMARY JUDGMENT <i>part 3</i> filed by Will Kempton, <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1</i> filed by Will Kempton. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>188</u>	EXHIBIT 2, <i>part b</i> . (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>189</u>	EXHIBIT 3 and 4 re <u>184</u> MOTION for SUMMARY JUDGMENT <i>part 2</i> filed by Will Kempton, <u>185</u> MOTION for SUMMARY JUDGMENT <i>part 3</i> filed by Will Kempton, <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1</i> filed by Will Kempton. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>190</u>	EXHIBIT 5 re <u>184</u> MOTION for SUMMARY JUDGMENT <i>part 2</i> filed by Will Kempton, <u>185</u> MOTION for SUMMARY JUDGMENT <i>part 3</i> filed by Will Kempton, <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1</i> filed by Will Kempton. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>191</u>	EXHIBIT 6. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>192</u>	EXHIBIT 7 re <u>184</u> MOTION for SUMMARY JUDGMENT <i>part 2</i> filed by Will Kempton, <u>185</u> MOTION for SUMMARY JUDGMENT <i>part 3</i> filed by Will Kempton, <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1</i> filed by Will Kempton. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>193</u>	EXHIBIT 8-10 re <u>184</u> MOTION for SUMMARY JUDGMENT <i>part 2</i> filed by Will Kempton, <u>185</u> MOTION for SUMMARY JUDGMENT <i>part 3</i> filed by Will Kempton, <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1</i> filed by Will Kempton. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>194</u>	STATEMENT of Undisputed Facts in Support of Motion for Summary Adj. by Defendant Will Kempton re <u>184</u> MOTION for SUMMARY JUDGMENT <i>part 2</i> , <u>185</u> MOTION for SUMMARY JUDGMENT <i>part 3</i> , <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1</i> . (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>195</u>	DECLARATION of David P. Harris in Support of re <u>184</u> MOTION for SUMMARY JUDGMENT <i>part 2</i> , <u>185</u> MOTION for SUMMARY JUDGMENT <i>part 3</i> , <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1</i> . (Bassi, Navtej) (Entered: 02/28/2008)

02/28/2008	<u>196</u>	PROPOSED ORDER re <u>184</u> MOTION for SUMMARY JUDGMENT <i>part 2</i> , <u>185</u> MOTION for SUMMARY JUDGMENT <i>part 3</i> , <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1</i> . (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>197</u>	CERTIFICATE of SERVICE by Will Kempton re <u>184</u> MOTION for SUMMARY JUDGMENT <i>part 2</i> , <u>185</u> MOTION for SUMMARY JUDGMENT <i>part 3</i> , <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1</i> . (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>198</u>	NOTICE of Motion for Summ. Adj. by James Province, Daryl Glenn. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>199</u>	MOTION for SUMMARY JUDGMENT by James Province, Daryl Glenn. Motion Hearing set for 3/31/2008 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>200</u>	STATEMENT of Undisputed Facts by Defendants James Province, Daryl Glenn re <u>199</u> MOTION for SUMMARY JUDGMENT. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>201</u>	DECLARATION of Daryl Glenn in Support of re <u>199</u> MOTION for SUMMARY JUDGMENT. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>202</u>	DECLARATION of James Province in Support of re <u>199</u> MOTION for SUMMARY JUDGMENT. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>203</u>	DECLARATION of David P. Harris in Support of re <u>199</u> MOTION for SUMMARY JUDGMENT. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>204</u>	PROPOSED ORDER Proposed Order re <u>199</u> MOTION for SUMMARY JUDGMENT. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>205</u>	CERTIFICATE of SERVICE by James Province, Daryl Glenn re <u>199</u> MOTION for SUMMARY JUDGMENT. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>206</u>	NOTICE AMENDED NOTICE CORRECTING HEARING TIME TO REFLECT THE CORRECT TIME -- 10:00 A.M. by Will Kempton re <u>184</u> MOTION for SUMMARY JUDGMENT <i>part 2</i> , <u>185</u> MOTION for SUMMARY JUDGMENT <i>part 3</i> , <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1</i> , <u>182</u> Notice – Other – ATY. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>207</u>	CERTIFICATE of SERVICE by Will Kempton. AMENDED NOTICE OF MOTION (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>208</u>	NOTICE AMENDED NOTICE OF MOTION TO REFLECT CORRECT HEARING TIME -- 10:00 A.M. by James Province, Daryl Glenn re <u>198</u> Notice – Other – ATY. (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>209</u>	CERTIFICATE of SERVICE by James Province, Daryl Glenn. AMENDED NOTICE OF MOTION (Bassi, Navtej) (Entered: 02/28/2008)
02/28/2008	<u>210</u>	MOTION for SUMMARY JUDGMENT <i>AS TO LIABILITY</i> by Pamela Kincaid. Motion Hearing set for 3/31/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Alexander, Paul) (Entered: 02/28/2008)
02/28/2008	<u>211</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>210</u> MOTION for SUMMARY JUDGMENT <i>AS TO LIABILITY</i> . (Alexander, Paul) (Entered: 02/28/2008)
02/28/2008	<u>212</u>	NOTICE by Pamela Kincaid re <u>211</u> Memorandum/Response in Support of Motion, <u>210</u> MOTION for SUMMARY JUDGMENT <i>AS TO LIABILITY</i> . (Alexander, Paul) (Entered: 02/28/2008)
02/28/2008	<u>213</u>	PROPOSED ORDER Proposed Order re <u>211</u> Memorandum/Response in Support of Motion, <u>210</u> MOTION for SUMMARY JUDGMENT <i>AS TO LIABILITY</i> , <u>212</u> Notice – Other – ATY by Pamela Kincaid. (Alexander, Paul) (Entered: 02/28/2008)
02/28/2008	<u>214</u>	STATEMENT of UNDISPUTED MATERIAL FACTS IN SUPPORT OF PLAINTIFFS MOTION FOR SUMMARY JUDGMENT <i>AS TO LIABILITY</i> by Plaintiff Pamela Kincaid re <u>210</u> MOTION for SUMMARY JUDGMENT <i>AS TO LIABILITY</i> , <u>212</u> Notice – Other – ATY, <u>213</u> Proposed Order, <u>211</u> Memorandum/Response in Support of Motion. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u>

		Exhibit 8, # <u>9</u> Exhibit 9–12, # <u>10</u> Exhibit 13A, # <u>11</u> Exhibit 13B)(Alexander, Paul) (Entered: 02/28/2008)
02/28/2008	<u>215</u>	EXHIBIT <i>14A–19 ISO STATEMENT OF UNDISPUTED MATERIAL FACTS</i> . (Attachments: # <u>1</u> Exhibit 14B, # <u>2</u> Exhibit 14C, # <u>3</u> Exhibit 14D, # <u>4</u> Exhibit 15, # <u>5</u> Exhibit 16A, # <u>6</u> Exhibit 16B, # <u>7</u> Exhibit 17–19)(Alexander, Paul) (Entered: 02/28/2008)
02/29/2008	<u>216</u>	EXHIBIT <i>20A–35</i> by Randy Johnson. (Attachments: # <u>1</u> Exhibit 20B, # <u>2</u> Exhibit 20C, # <u>3</u> Exhibit 20D, # <u>4</u> Exhibit 21–35)(Alexander, Paul) (Entered: 02/29/2008)
02/29/2008	<u>217</u>	EXHIBIT <i>36–52</i> . (Attachments: # <u>1</u> Exhibit 43, # <u>2</u> Exhibit 44–46, # <u>3</u> Exhibit 47A, # <u>4</u> Exhibit 47B, # <u>5</u> Exhibit 48–52)(Alexander, Paul) (Entered: 02/29/2008)
02/29/2008	<u>218</u>	EXHIBIT <i>53</i> by Doug Deatherage. (Attachments: # <u>1</u> Exhibit 53B, # <u>2</u> Exhibit 53C, # <u>3</u> Exhibit 53D, # <u>4</u> Exhibit 53E, # <u>5</u> Exhibit 53F)(Alexander, Paul) (Entered: 02/29/2008)
02/29/2008	<u>219</u>	EXHIBIT <i>54–56B ISO Statement of Material Facts</i> . (Attachments: # <u>1</u> Exhibit 56A, # <u>2</u> Exhibit 56B)(Alexander, Paul) (Entered: 02/29/2008)
02/29/2008	<u>220</u>	EXHIBIT <i>57A–D</i> . (Attachments: # <u>1</u> Exhibit 57B, # <u>2</u> Exhibit 57C, # <u>3</u> Exhibit 57D)(Alexander, Paul) (Entered: 02/29/2008)
02/29/2008	<u>221</u>	EXHIBIT <i>58A</i> . (Attachments: # <u>1</u> Exhibit 58B, # <u>2</u> 58C, # <u>3</u> Exhibits 59–63)(Alexander, Paul) (Entered: 02/29/2008)
02/29/2008	<u>222</u>	EXHIBIT <i>Exhibit 64A</i> . (Attachments: # <u>1</u> Exhibit 64B, # <u>2</u> Exhibit 64C, # <u>3</u> Exhibit 64D, # <u>4</u> Exhibit 64E, # <u>5</u> Exhibits 65–67)(Alexander, Paul) (Entered: 02/29/2008)
02/29/2008	<u>223</u>	EXHIBIT <i>68A</i> . (Attachments: # <u>1</u> Exhibit 68B, # <u>2</u> Exhibit 68C, # <u>3</u> Exhibit 68D, # <u>4</u> Exhibit 68E, # <u>5</u> Exhibit 68F, # <u>6</u> Exhibit 68G)(Alexander, Paul) (Entered: 02/29/2008)
02/29/2008	<u>224</u>	EXHIBIT <i>69A</i> . (Attachments: # <u>1</u> Exhibit 69B, # <u>2</u> Exhibits 70–76, # <u>3</u> Exhibit 77, # <u>4</u> Exhibit 78, # <u>5</u> Exhibit 79A, # <u>6</u> Exhibit 79B, # <u>7</u> Exhibit 79C, # <u>8</u> Exhibits 80–96)(Alexander, Paul) (Entered: 02/29/2008)
02/29/2008	<u>225</u>	EXHIBIT <i>97A</i> . (Attachments: # <u>1</u> Exhibit 97B, # <u>2</u> Exhibits 98–107, # <u>3</u> Exhibits 108–109)(Alexander, Paul) (Entered: 02/29/2008)
02/29/2008	<u>226</u>	EXHIBIT <i>110A</i> . (Attachments: # <u>1</u> Exhibit 110B, # <u>2</u> Exhibit 110C, # <u>3</u> Exhibits 111–116, # <u>4</u> Exhibit 117, # <u>5</u> Exhibit 118, # <u>6</u> Exhibit 119, # <u>7</u> Exhibit 120, # <u>8</u> Exhibit 122, # <u>9</u> Exhibit 122)(Alexander, Paul) (Entered: 02/29/2008)
02/29/2008	<u>227</u>	EXHIBIT <i>Corrected Exhibit 118</i> . (Alexander, Paul) (Entered: 02/29/2008)
03/11/2008	228	MINUTE ORDER: ***TEXT ONLY ENTRY*** Due to the press of business, the Hearing re motions for summary judgment currently set for 3/31/2008 has been continued to 4/21/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Timken, A) (Entered: 03/11/2008)
03/11/2008	<u>229</u>	STATEMENT of Jt. Statement of the Parties with Regard to the Motion of Defendants Kempton et al. to Exclude Plaintiffs' Expert, etc. by Defendant Will Kempton re <u>173</u> MOTION to COMPEL <i>Notice of Motion to Exclude Plaintiffs' Expert Testimony, etc.</i> . (Attachments: # <u>1</u> Exhibit Jt. Statement, Exh. A, part 1, # <u>2</u> Exhibit Jt. Statement, Exh. A, part 2, # <u>3</u> Exhibit Jt. Statement, Exh. A, part 3)(Bassi, Navtej) (Entered: 03/11/2008)
03/13/2008	<u>230</u>	SUPPLEMENT by John Rogers, Phillip Weathers, Alan Autry, Jerry Dyer, Greg Garner, Reynaud Wallace, City Of Fresno re <u>229</u> Statement – R,. (Betts, James) (Entered: 03/13/2008)
03/13/2008	<u>231</u>	SUPPLEMENT by John Rogers, Phillip Weathers, Alan Autry, Greg Garner, Reynaud Wallace, City Of Fresno re <u>229</u> Statement – R,. (<i>amended POS</i>) (Betts, James) (Entered: 03/13/2008)
03/19/2008	232	MINUTE ORDER (Text Only Entry): Defendants' Motion to Exclude Plaintiffs' Expert Testimony and Other Evidence, Etc. <u>173</u> , set for hearing on 3/21/08 @ 9:30am

		before Judge Snyder (SMS), is VACATED. Pursuant to Local Rule 78-230(h), the Court hereby takes the motion under submission. MOTION 173 SUBMITTED. Signed by Judge Sandra M. Snyder on 3/19/08. (Robles, F.) (Entered: 03/19/2008)
03/19/2008	<u>233</u>	ORDER Re: Defendants Will Kempton, James Province, and Daryl Glenns' Motion to Exclude Plaintiffs' Expert Testimony and Other Evidence, or, in the Alternative to Compel Production of Experts' Reports and for Monetary Sanctions [Doc. 173], signed by Judge Sandra M. Snyder on 3/19/2008. (Herman, H) (Entered: 03/19/2008)
03/19/2008		SERVICE BY MAIL: <u>233</u> Order on Motion to Compel, served on David Paul Harris (Herman, H) (Entered: 03/19/2008)
04/04/2008	<u>234</u>	MEMORANDUM/RESPONSE in OPPOSITION. to P's MSJ as to Liability (Attachments: # <u>1</u> Statement D's Response to P's Sep. Statement, # <u>2</u> Affidavit Affidavit of Daryl Glenn in Opp. to P's MSJ, # <u>3</u> Affidavit Affid. of Province in Opp. to P's MSJ, # <u>4</u> Exhibit Exxhibit A to D's Resp. to P's SSUF)(Bassi, Navtej) (Entered: 04/04/2008)
04/04/2008	<u>235</u>	MEMORANDUM/RESPONSE in OPPOSITION. to Kempton, Province and Glenn's Motion for Summary Judgment (Alexander, Paul) (Entered: 04/04/2008)
04/04/2008	<u>236</u>	OBJECTIONS by Plaintiff Pamela Kincaid. to Evidence Submitted in Support of the Caltrans Defendants' Motions for Summary Judgment (Alexander, Paul) (Entered: 04/04/2008)
04/04/2008	<u>237</u>	DECLARATION of Melyssa Minamoto in SUPPORT OF. Plaintiffs' Opposition to Defendants Kempton, Province and Glenn's Motion for Summary Adjudication (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 15, # <u>14</u> Exhibit 16, # <u>15</u> Exhibit 17, # <u>16</u> Exhibit 18, # <u>17</u> Exhibit 19, # <u>18</u> Exhibit 20, # <u>19</u> Exhibit 21, # <u>20</u> Exhibit 22, # <u>21</u> Exhibit 23, # <u>22</u> Exhibit 24, # <u>23</u> Exhibit 25, # <u>24</u> Exhibit 26, # <u>25</u> Exhibit 27, # <u>26</u> Exhibit 28, # <u>27</u> Exhibit 29, # <u>28</u> Exhibit 30, # <u>29</u> Exhibit 13, # <u>30</u> Exhibit 31, # <u>31</u> Exhibit 14)(Alexander, Paul) (Entered: 04/04/2008)
04/04/2008	<u>238</u>	DECLARATION of Mike Rhodes in SUPPORT OF. Plaintiffs' Opposition to Defendants Kempton, Province and Glenn's Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Alexander, Paul) (Entered: 04/04/2008)
04/04/2008	<u>239</u>	DECLARATION of Bruce Tracy in SUPPORT OF. Plaintiffs' Opposition to Defendants Kempton, Province and Glenn's Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit A)(Alexander, Paul) (Entered: 04/04/2008)
04/07/2008	<u>240</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>210</u> MOTION for SUMMARY JUDGMENT AS TO LIABILITY. (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>241</u>	STATEMENT of Response to Plaintiffs' Separate Statement of Undisputed Facts and Statement of Disputed Facts by Defendants John Rogers, Phillip Weathers, Alan Autry, Jerry Dyer, Greg Garner, Reynaud Wallace, City Of Fresno re <u>214</u> Statement - R., <u>240</u> Memorandum/Response in Opposition to Motion. (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>242</u>	STATEMENT of Additional Disputed Facts in Opopsition to Plaintiffs' Motion for Summary Judgment by Defendants John Rogers, Phillip Weathers, Alan Autry, Jerry Dyer, Greg Garner, Reynaud Wallace, City Of Fresno re <u>240</u> Memorandum/Response in Opposition to Motion, <u>210</u> MOTION for SUMMARY JUDGMENT AS TO LIABILITY. (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>243</u>	DECLARATION of James Connell in Opposition to re <u>210</u> MOTION for SUMMARY JUDGMENT AS TO LIABILITY. (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>244</u>	DECLARATION of Greg Garner in Opposition to re <u>210</u> MOTION for SUMMARY JUDGMENT AS TO LIABILITY. (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>245</u>	DECLARATION of John Rogers in Opposition to re <u>210</u> MOTION for SUMMARY JUDGMENT AS TO LIABILITY. (Betts, James) (Entered: 04/07/2008)

04/07/2008	<u>246</u>	DECLARATION of Andy Souza in Opposition to re <u>210</u> MOTION for SUMMARY JUDGMENT <i>AS TO LIABILITY</i> . (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>247</u>	DECLARATION of Kerry Trost in Opposition to re <u>210</u> MOTION for SUMMARY JUDGMENT <i>AS TO LIABILITY</i> . (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>248</u>	DECLARATION of Reynaud Wallace in Opposition to re <u>210</u> MOTION for SUMMARY JUDGMENT <i>AS TO LIABILITY</i> . (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>249</u>	DECLARATION of Phillip Weathers in Opposition to re <u>210</u> MOTION for SUMMARY JUDGMENT <i>AS TO LIABILITY</i> . (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>250</u>	MOTION for PRELIMINARY INJUNCTION <i>Removal Thereof</i> by John Rogers, Phillip Weathers, Alan Autry, Jerry Dyer, Greg Garner, Reynaud Wallace, City Of Fresno. Motion Hearing set for 5/9/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>251</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>250</u> MOTION for PRELIMINARY INJUNCTION <i>Removal Thereof</i> . (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>252</u>	DECLARATION of Andy Souza in Support of re <u>250</u> MOTION for PRELIMINARY INJUNCTION <i>Removal Thereof</i> . (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>253</u>	DECLARATION of Reynaud Wallace in Support of re <u>250</u> MOTION for PRELIMINARY INJUNCTION <i>Removal Thereof</i> . (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>254</u>	DECLARATION of John Rogers in Support of re <u>250</u> MOTION for PRELIMINARY INJUNCTION <i>Removal Thereof</i> . (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>255</u>	DECLARATION of James Connell in Support of re <u>250</u> MOTION for PRELIMINARY INJUNCTION <i>Removal Thereof</i> . (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>256</u>	DECLARATION of Phillip Weathers in Support of re <u>250</u> MOTION for PRELIMINARY INJUNCTION <i>Removal Thereof</i> . (Betts, James) (Entered: 04/07/2008)
04/07/2008	<u>257</u>	DECLARATION of Greg Garner in Support of re <u>250</u> MOTION for PRELIMINARY INJUNCTION <i>Removal Thereof</i> . (Betts, James) (Entered: 04/07/2008)
04/08/2008	258	MINUTE ORDER: (TEXT ENTRY ONLY) As Judge Wanger hears civil motions on Mondays at 10:00 , the Motion for Preliminary Injunction <u>250</u> currently set for 5/9/2008 is re-set to 6/9/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Kusamura, W) (Entered: 04/08/2008)
04/11/2008	<u>259</u>	REPLY/RESPONSE to CALTRANS DEFENDANTS' SEPARATE STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AS TO ALL CAUSES OF ACTION by Pamela Kincaid re <u>235</u> Memorandum/Response in Opposition to Motion, <u>238</u> , <u>237</u> , <u>239</u> , <u>236</u> Objections. (Alexander, Paul) (Entered: 04/11/2008)
04/14/2008	<u>260</u>	REPLY to RESPONSE to MOTION. <i>for Summary Judgment (Kempton)</i> (Attachments: # <u>1</u> Exhibit Reply to Plaintiffs' Evidentiary Objections)(Bassi, Navtej) (Entered: 04/14/2008)
04/14/2008	<u>261</u>	REPLY to RESPONSE to MOTION re <u>199</u> MOTION for SUMMARY JUDGMENT. <i>(Province/Glenn)</i> (Attachments: # <u>1</u> Exhibit Reply to Plaintiffs' Evidentiary Objections)(Bassi, Navtej) (Entered: 04/14/2008)
04/14/2008	<u>262</u>	REPLY to RESPONSE to MOTION. <i>for Summary Judgment. PLAINTIFFS' REPLY TO CITY DEFENDANTS' OPPOSITION TO MOTION FOR SUMMARY JUDGMENT</i> (Attachments: # <u>1</u> Exhibit 1)(Alexander, Paul) (Entered: 04/14/2008)
04/14/2008	<u>263</u>	REPLY/RESPONSE to CITY DEFENDANTS' RESPONSES TO PLAINTIFFS' SEPARATE STATEMENT OF UNDISPUTED FACTS by Pamela Kincaid re <u>262</u> Reply to Response to Motion. (Alexander, Paul) (Entered: 04/14/2008)
04/14/2008	<u>264</u>	REPLY/RESPONSE to CITY DEFENDANTS' STATEMENT OF ADDITIONAL DISPUTED FACTS IN OPPOSITION TO PLAINTIFFS MOTION FOR SUMMARY

		JUDGMENT by Pamela Kincaid re <u>263</u> Reply/Response, <u>262</u> Reply to Response to Motion. (Alexander, Paul) (Entered: 04/14/2008)
04/14/2008	<u>265</u>	REPLY to RESPONSE to MOTION. <i>PLAINTIFFS REPLY TO CALTRANS DEFENDANTS OPPOSITION TO MOTION FOR SUMMARY JUDGMENT</i> (Alexander, Paul) (Entered: 04/14/2008)
04/14/2008	<u>266</u>	REPLY/RESPONSE to CALTRANS DEFENDANTS' RESPONSE TO PLAINTIFFS' SEPARATE STATEMENT OF UNDISPUTED FACTS by Pamela Kincaid re <u>265</u> Reply to Response to Motion. (Alexander, Paul) (Entered: 04/14/2008)
04/14/2008	<u>267</u>	EXHIBIT <i>Corrected Exhibit 6 to Plaintiffs' Separate Statement of Undisputed Material Facts in Support of Plaintiffs' Motion for Summary Judgment as to Liability</i> by Pamela Kincaid. (Alexander, Paul) (Entered: 04/14/2008)
04/14/2008	<u>268</u>	EXHIBIT <i>Corrected Exhibit 7 to Plaintiffs' Separate Statement of Undisputed Material Facts in Support of Plaintiffs' Motion for Summary Judgment as to Liability</i> by Pamela Kincaid. (Alexander, Paul) (Entered: 04/14/2008)
04/14/2008	<u>269</u>	EXHIBIT <i>Corrected Exhibit 9 to Plaintiffs' Separate Statement of Undisputed Material Facts in Support of Plaintiffs' Motion for Summary Judgment as to Liability</i> by Pamela Kincaid. (Alexander, Paul) (Entered: 04/14/2008)
04/14/2008	<u>270</u>	EXHIBIT <i>Corrected Exhibit 53A to Plaintiffs' Separate Statement of Undisputed Material Facts in Support of Plaintiffs' Motion for Summary Judgment as to Liability</i> by Pamela Kincaid. (Alexander, Paul) (Entered: 04/14/2008)
04/14/2008	<u>271</u>	EXHIBIT <i>Corrected Exhibit 82 to Plaintiffs' Separate Statement of Undisputed Material Facts in Support of Plaintiffs' Motion for Summary Judgment as to Liability</i> by Pamela Kincaid. (Alexander, Paul) (Entered: 04/14/2008)
04/14/2008	<u>272</u>	EXHIBIT <i>Corrected Exhibit 88 to Plaintiffs' Separate Statement of Undisputed Material Facts in Support of Plaintiffs' Motion for Summary Judgment as to Liability</i> by Pamela Kincaid. (Alexander, Paul) (Entered: 04/14/2008)
04/15/2008	<u>273</u>	OBJECTIONS by Defendants John Rogers, Phillip Weathers, Alan Autry, Jerry Dyer, Greg Garner, Reynaud Wallace, City Of Fresno to <u>183</u> MOTION for SUMMARY JUDGMENT <i>part 1. Evidentiary Objections</i> (Betts, James) (Entered: 04/15/2008)
04/16/2008	274	MINUTE ORDER: ***TEXT ONLY ENTRY*** Due to the press of business, the Hearing re Motions for Summary Judgment currently set for 4/21/2008 has been continued to 4/24/2008 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Timken, A) (Entered: 04/16/2008)
04/16/2008		SERVICE BY MAIL: 274 Minute Order served on David Paul Harris. (Timken, A) (Entered: 04/16/2008)
04/17/2008	275	MINUTE ORDER: ***TEXT ONLY ENTRY*** The motions for summary currently set for 4/24/2008 have been re-set to 4/25/2008 at 02:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Timken, A) (Entered: 04/17/2008)
04/17/2008		SERVICE BY MAIL: 275 Minute Order served on David Paul Harris (Timken, A) (Entered: 04/17/2008)
04/25/2008	276	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger: MOTION HEARING held on 4/25/2008 ; Motions were argued and all were submitted <u>183</u> <u>199</u> & <u>210</u> Motions for Summary Judgment. Plaintiffs Counsel P. Alexander, P. Risher, present. Defendants Counsel D. Harris, J. Rubin present. Court Reporter/CD Number: K. Lopez. (Kusamura, W) (Entered: 04/28/2008)
05/02/2008	<u>277</u>	NOTICE <i>PLAINTIFF CLASS CHART SUMMARIZING SPECIFIC DATES AND LOCATIONS OF SWEEPS BY CITY OF FRESNO AND CITY OF FRESNO DEFENDANTS</i> by Pamela Kincaid. (Alexander, Paul) (Entered: 05/02/2008)
05/02/2008	<u>278</u>	NOTICE <i>Transmittal Letter to Judge Oliver W. Wanger</i> by Randy Johnson re <u>277</u> Notice – Other – ATY. (Alexander, Paul) (Entered: 05/02/2008)
05/02/2008	<u>279</u>	STIPULATION and PROPOSED ORDER AMENDING MARCH 6, 2007 SCHEDULING ORDER by Pamela Kincaid. (Alexander, Paul) (Entered: 05/02/2008)

05/02/2008	<u>280</u>	STIPULATION and ORDER amending scheduling order. The Pretrial Conference currently set for 5/5/2008 is continued to 5/19/2008 at 11:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Order signed by Judge Oliver W. Wanger on 5/2/2008. (Timken, A) (Entered: 05/02/2008)
05/05/2008	282	TRANSCRIPT of Proceedings Motions for Summary Judgment held on Friday, April 25, 2008, before Judge Oliver W. Wanger, filed by Court Reporter Karen Lopez. (TEXT ENTRY ONLY) (Martin, S) (Entered: 05/08/2008)
05/08/2008	281	MINUTE ORDER: ***TEXT ONLY ENTRY*** Order <u>280</u> amending the scheduling order incorrectly stated the filing date for the pretrial statement. The pretrial statement is due by 5/16/2008. (Timken, A) (Entered: 05/08/2008)
05/08/2008		SERVICE BY MAIL: 281 Minute Order served on David Paul Harris (Timken, A) (Entered: 05/08/2008)
05/09/2008	283	MINUTE ORDER (TEXT Only): Settlement Conference set for 5/20/2008 at 09:30 AM in Courtroom 7 (SMS) before Judge Sandra M. Snyder. Confidential Settlement Conference Statement is MANDATORY, and must be submitted to Judge Snyders chambers, at least five (5) court days prior to the Settlement Conference. (Herman, H) (Entered: 05/09/2008)
05/09/2008		SERVICE BY MAIL: 283 Minute Order setting a Settlement Conference Hearing on 5/20/08 at 9:30a.m. before Judge Snyder, served on David Paul Harris (Herman, H) (Entered: 05/09/2008)
05/12/2008	<u>284</u>	MEMORANDUM, DECISION and ORDER, granting in part and denying in part Caltrans Defendants' motions for summary judgment <u>183</u> and <u>199</u> , and plaintiff's motion for summary judgment against Caltrans defendants <u>212</u> signed by Judge Oliver W. Wanger on 5/12/2008. (Timken, A) (Entered: 05/12/2008)
05/12/2008	<u>285</u>	MEMORANDUM, DECISION and ORDER, granting in part and denying in part plaintiffs' motion for summary judgment <u>212</u> and <u>210</u> as to liability against the city defendants signed by Judge Oliver W. Wanger on 5/12/2008. (Timken, A) (Entered: 05/12/2008)
05/12/2008		SERVICE BY MAIL: <u>284</u> Memorandum, Opinion & Order served on David Paul Harris (Timken, A) (Entered: 05/12/2008)
05/16/2008	<u>286</u>	JOINT PRETRIAL STATEMENT by Plaintiff Pamela Kincaid, Defendants City Of Fresno, California Department of Transportation. Attorney Alexander, Paul added. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Alexander, Paul) (Entered: 05/16/2008)
05/18/2008	<u>287</u>	PROPOSED ORDER by Pamela Kincaid. (Alexander, Paul) (Entered: 05/18/2008)
05/19/2008	290	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger: PRETRIAL CONFERENCE held on 5/19/2008, Motion's in Limine Hearing set for 6/5/2008 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger, Plaintiffs Counsel P. Alexander present. Defendants Counsel D. Harris for Cal Trans and J. Betts for The City of Fresno present. Court Reporter/CD Number: ECRO. (Kusamura, W) (Entered: 05/20/2008)
05/20/2008	<u>288</u>	OBJECTIONS by Defendants John Rogers, Phillip Weathers, Alan Autry, Jerry Dyer, Greg Garner, Reynaud Wallace, City Of Fresno to <u>287</u> Proposed Order. (Betts, James) (Entered: 05/20/2008)
05/20/2008	<u>289</u>	PROPOSED ORDER by John Rogers, Phillip Weathers, Alan Autry, Jerry Dyer, Greg Garner, Reynaud Wallace, City Of Fresno. (Betts, James) (Entered: 05/20/2008)
05/20/2008	<u>291</u>	ORDER GRANTING IN PART AND DENYING IN PART Plaintiffs' Motion for Summary Judgment as to Liability against the City Defendants, signed by Judge Oliver W. Wanger on 05/19/2008. (Kusamura, W) (Entered: 05/20/2008)
05/20/2008		SERVICE BY MAIL: <u>291</u> Order served on David Paul Harris (Kusamura, W) (Entered: 05/20/2008)
05/20/2008	<u>292</u>	RESERVICE OF DOCUMENTS: addressed to all parties (Kusamura, W) (Entered: 05/20/2008)

05/20/2008	<u>293</u>	ORDER DENYING Defendant Will Kempton's Motion for Summary Judgment; DENYING Plaintiffs' Motion for Summary Judgment as to Defendants James Provice and Daryl Glenn; and GRANTING Defendants James Province and Daryl Glenn's Motion for Summary Judgment as to the State Law Claims for Damages asserted against them as DENYING the Motion on all other grounds, signed by Judge Oliver W. Wanger on 05/19/2008. (Kusamura, W) (Entered: 05/20/2008)
05/20/2008	294	MINUTES (Text Only) for proceedings held before Judge Sandra M. Snyder on 5/20/2008: All-day SETTLEMENT CONFERENCE held – Case provisionally settled, subject to Fresno City Council approval. Plaintiffs' counsel to prepare detailed settlement agreement to City Attorney's office for approval as to form and for official submission to The City Council. Judge Snyder to meet and confer with Judge Wanger re: pre-trial filing deadlines and the trial date itself. Note: The Court hereby orders the proposed settlement conditions set forth on the record in open court to be and remain sealed until The Honorable Oliver Wanger approves the settlement for all purposes. Plaintiffs Counsel Paul Alexander, Melyssa Minamoto, Oren M. Seelstrom, Eric Lloyd, Michael T. Risher, Elisa Della-Piana present. Defendants Counsel James B. Betts, Francine M. Kanne, David P. Harris present. Court Reporter/CD Number: ECRO – Sealed . (Herman, H) (Entered: 05/21/2008)
05/21/2008	296	MINUTES (Text Only) for proceedings held before Judge Sandra M. Snyder on 5/21/2008: TELEPHONIC CONFERENCE held with Attny Paul Alexander for Plaintiffs, Attnys James Betts and Francine Kanne for Defendants The City of Fresno, et. al., and Attny David Harris for Defendant Cal Trans re: Judge Wanger's desire to maintain the trial date as set, June 10, 2008; counsel to meet and confer re: revising briefing deadlines and hearing dates pursuant to the Pretrial Order, allowing for extensions due to pending approval of the settlement proposal by both The City of Fresno and the Honorable Oliver Wanger. Counsel cautioned by this Court to admonish all attorneys and their agents and representatives as well as all parties that the pending settlement is NOT to be discussed with the press until The Honorable Oliver Wanger approves said settlement. Court Reporter/CD Number: in chambers, off record. (Herman, H) (Entered: 05/23/2008)
05/22/2008	<u>295</u>	FINAL PRETRIAL ORDER, signed by Judge Oliver W. Wanger on 05/20/2008. (Jury Trial set for 6/10/2008 at 09:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger and Motion In Limine Hearing set for 6/6/2008 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger) (Martin, S) (Entered: 05/22/2008)
05/23/2008	<u>297</u>	STIPULATION and ORDER Modification to Pretrial Conference Order: Motions-in-Limine Hearing is set for 6/9/2008 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. signed by Judge Oliver W. Wanger on 5/22/2008. (Herman, H) (Entered: 05/23/2008)
05/27/2008	<u>298</u>	Disclosure from court trial by Judge Oliver W. Wanger. (Esteves, C) (Entered: 05/28/2008)
05/27/2008	<u>299</u>	LETTER from Paul Alexander. (Esteves, C) (Entered: 05/28/2008)
05/30/2008	300	MINUTE ORDER: ***TEXT ONLY ENTRY*** A Status Conference in this matter has been set for 6/6/2008 at 10:15 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Timken, A) (Entered: 05/30/2008)
06/04/2008	<u>301</u>	NOTICE OF MOTION FOR ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND DIRECTING DISSEMINATION OF NOTICE TO CLASS by all plaintiffs. (Attachments: # <u>1</u> Memorandum IN SUPPORT OF PRELIMINARY APPROVAL OF SETTLEMENT, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Proposed Order PROPOSED ORDER, # <u>8</u> Certificate PROOF OF SERVICE)(Alexander, Paul) (Entered: 06/04/2008)
06/04/2008	<u>302</u>	NOTICE PLAINTIFFS NOTICE OF MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND DIRECTING DISSEMINATION OF NOTICE TO CLASS by all plaintiffs re <u>301</u> Notice – Other – ATY,. (Alexander, Paul) (Entered: 06/04/2008)
06/05/2008	<u>303</u>	MOTION PLAINTIFFS NOTICE OF MOTION FOR ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND DIRECTING DISSEMINATION OF NOTICE TO CLASS by Pamela Kincaid. Motion Hearing set for 6/6/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge

		Oliver W. Wanger. (Alexander, Paul) (Entered: 06/05/2008)
06/05/2008	<u>304</u>	MEMORANDUM/RESPONSE in SUPPORT re <u>303</u> MOTION PLAINTIFFS NOTICE OF MOTION FOR ORDER GRANTING PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT AND DIRECTING DISSEMINATION OF NOTICE TO CLASS. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Proposed Order Proposed Order, # <u>7</u> Certificate Trostad POS)(Alexander, Paul) (Entered: 06/05/2008)
06/05/2008	<u>305</u>	MOTION IN LIMINE #1 re Daryl Glenn by Will Kempton, James Province, Daryl Glenn. Motion Hearing set for 6/9/2008 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Bassi, Navtej) (Entered: 06/05/2008)
06/05/2008	<u>306</u>	MOTION IN LIMINE #2 -- Prohibit M. Rhodes, etc. by Will Kempton, James Province, Daryl Glenn. Motion Hearing set for 6/9/2008 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Exhibit Exhibit A to MIL#2, # <u>2</u> Exhibit Exh. B to MIL#2)(Bassi, Navtej) (Entered: 06/05/2008)
06/05/2008	<u>307</u>	MOTION IN LIMINE #3 -- Exclude Apper as Expert, etc. by Will Kempton, James Province, Daryl Glenn. Motion Hearing set for 6/9/2008 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Attachments: # <u>1</u> Exhibit Exh. A to MIL#3)(Bassi, Navtej) (Entered: 06/05/2008)
06/05/2008	<u>308</u>	MOTION IN LIMINE #4 Re use of "Sweeps" or "Clean-ups", etc. by Will Kempton, James Province, Daryl Glenn. Motion Hearing set for 6/9/2008 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Bassi, Navtej) (Entered: 06/05/2008)
06/05/2008	<u>309</u>	MOTION IN LIMINE #5 re Bifurcation, etc. by Will Kempton, James Province, Daryl Glenn. Motion Hearing set for 6/9/2008 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Bassi, Navtej) (Entered: 06/05/2008)
06/05/2008	<u>310</u>	MOTION IN LIMINE #6 re Use of Term "Caltrans", etc. by Will Kempton, James Province, Daryl Glenn. Motion Hearing set for 6/9/2008 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Bassi, Navtej) (Entered: 06/05/2008)
06/05/2008	<u>311</u>	MOTION IN LIMINE #7 re Activities Outside Time Frame of Lawsuit, etc. by Will Kempton, James Province, Daryl Glenn. Motion Hearing set for 6/9/2008 at 12:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. (Bassi, Navtej) (Entered: 06/05/2008)
06/06/2008	312	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger: STATUS CONFERENCE re Settlement held on 6/6/2008. The Court finds the proposed settlement reasonable and fair. Preliminary settlement granted. A hearing re approval of final settlement is set for 7/25/2008 at 03:00 PM in Courtroom 3 (OWW) before Judge Oliver W. Wanger. Counsel to prepare order. As a result of the preliminary settlement, all matters currently set for hearing on 6/9/2008, and the trial currently set for 6/10/2008 are vacated. Plaintiffs Counsel P. Alexander, M. Risher. Defendants Counsel J. Betts, D. Harris present. Court Reporter/CD Number: ECRO. (Timken, A) (Entered: 06/06/2008)
06/09/2008	<u>313</u>	ORDER TO SHOW CAUSE why all proceedings regarding settlement should not be terminated and for personal appearance of individual defendant Alan Autry. Show Cause Hearing set for 6/10/2008 at 10:00 AM in Courtroom 3 (OWW) before Judge Oliver W. Wanger, signed by Judge Oliver W. Wanger on 6/9/2008. (Lucas, G) (Entered: 06/09/2008)
06/09/2008	<u>314</u>	RETURN of SERVICE (Executed) of Order To Show Cause Why All Proceedings Regarding Settlement Should Not Be Terminated And For Personal Appearance Of Individual Defendant Alan Autry <u>313</u> . (Scrivner, E) (Entered: 06/09/2008)
06/09/2008	<u>315</u>	RESPONSE to ORDER to SHOW CAUSE by Will Kempton, James Province, Daryl Glenn. (Bassi, Navtej) (Entered: 06/09/2008)
06/10/2008	316	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger: SHOW CAUSE HEARING held on 6/10/2008. Plaintiffs give statement re settlement. City of Fresno defendants give statement re settlement. Cal Trans defendant submits on filed response. Mayor Autry responds against the advice of counsel. The Court polls each

		individual named defendant re agreement with settlement. They each agree. The Court finds cause has been shown for settlement to proceed on the terms and conditions presented in open court on 6/6/2008. Plaintiffs Counsel P. Alexander, M. Risher, O. Sellstrom present. Defendants Counsel J. Betts, J. Rubin, D. Harris, J. Sanchez, F. Kanne, M. George present. Court Reporter/CD Number: P. Crawford. (Timken, A) (Entered: 06/10/2008)
06/13/2008	<u>317</u>	PROPOSED ORDER by Pamela Kincaid. (Attachments: # <u>1</u> Exhibit A Proposed Notice, # <u>2</u> Exhibit Ex B Kincaid Claim Form)(Alexander, Paul) (Entered: 06/13/2008)
06/13/2008	<u>318</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>317</u> Proposed Order. (Alexander, Paul) (Entered: 06/13/2008)
06/18/2008	<u>319</u>	ORDER Preliminarily Approving Settlement Agreements, Settlement Plan, Notice and Notice Procedure signed by Judge Oliver W. Wanger on 6/13/2008. <i>Hearing set for 7/25/2008 at 3:00 p.m. in Courtroom 3.</i> (Esteves, C) (Entered: 06/18/2008)
06/18/2008	<u>320</u>	TRANSCRIPT of Proceedings held on 6/6/08, before Judge Oliver W. Wanger, filed by ECRO Michelle Rooney, Phone number 559-499-5928 E-mail mrooney@caed.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction must be filed within 5 court days. Redaction Request due 7/9/2008. Redacted Transcript Deadline set for 7/21/2008. Release of Transcript Restriction set for 9/16/2008. (Rooney, M) (Entered: 06/18/2008)
07/18/2008	<u>321</u>	NOTICE of Motion for Order Granting Final Approval of Class Action Settlement by all plaintiffs. (Attachments: # <u>1</u> Memorandum In Support of Motion for Final Approval, # <u>2</u> Exhibit A (Memo), # <u>3</u> Exhibit B (Memo), # <u>4</u> Exhibit C (Memo), # <u>5</u> Exhibit D (Memo), # <u>6</u> Exhibit E (Memo), # <u>7</u> Declaration of Paul Alexander, # <u>8</u> Exhibit A (Alexander Dec.), # <u>9</u> Exhibit B (Alexander Dec.), # <u>10</u> Declaration of Alan Schlosser, # <u>11</u> Declaration of Oren Sellstrom, # <u>12</u> Declaration of Melyssa Minamoto, # <u>13</u> Declaration of Eric Trostad, # <u>14</u> Exhibit A (Trostad Dec.), # <u>15</u> Proposed Order, # <u>16</u> Certificate Proof Of Service)(Alexander, Paul) (Entered: 07/18/2008)
07/23/2008	<u>322</u>	SUPPLEMENT by Pamela Kincaid re <u>321</u> Notice – Other – ATY,,. <i>SUPPLEMENTAL DOCUMENTATION REGARDING FEES OF ACLU OF NORTHERN CALIFORNIA AND LAWYERS COMMITTEE FOR CIVIL RIGHTS</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Certificate of Service)(Alexander, Paul) (Entered: 07/23/2008)
07/25/2008	<u>323</u>	ORDER approving final settlement signed by Judge Oliver W. Wanger on 7/25/2008. (Timken, A) (Entered: 07/25/2008)
07/25/2008	<u>324</u>	MINUTES (Text Only) for proceedings held before Judge Oliver W. Wanger: HEARING re Final Settlement held on 7/25/2008. The Court finds the settle is fair and reasonable and therefore grants the settlement. Counsel to submit judgment. Plaintiffs Counsel P. Alexander, M. Risher, O. Sellstrom, E. Della-Piana present. Defendants Counsel J. Betts, D. Harris, F. Kanne present. Court Reporter/CD Number: K. Lopez. (Timken, A) (Entered: 07/25/2008)
07/29/2008	<u>325</u>	PROPOSED ORDER by Pamela Kincaid. (Attachments: # <u>1</u> Exhibit 7/25/2008 Final Order Approving Settlement, # <u>2</u> Certificate of Service)(Alexander, Paul) (Entered: 07/29/2008)
07/29/2008	<u>326</u>	CLERK'S JUDGMENT pursuant to order signed by Judge Oliver W. Wanger on 7/29/08. CASE CLOSED.(Verduzco, M) (Entered: 07/29/2008)
07/29/2008	<u>327</u>	CLERK'S NOTICE of DOCKET CORRECTION: Please Disregard <u>326</u> Clerk's Judgment; Entered in Error. (Verduzco, M) (Entered: 07/29/2008)
07/29/2008	<u>328</u>	JUDGMENT signed by Judge Oliver W. Wanger on 7/29/08, entered pursuant to Order <u>323</u> . CASE CLOSED. (Verduzco, M) (Entered: 07/29/2008)
08/29/2008	<u>329</u>	TRANSCRIPT of Proceedings held on 7-25-08, before Judge Oliver W. Wanger, filed by Court Reporter Karen Lopez, Phone number 559-264-0584 E-mail kllopez@pacbell.net. Transcript of Hearing re Final Settlement may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for

		Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction must be filed within 5 court days. Redaction Request due 9/19/2008. Redacted Transcript Deadline set for 9/29/2008. Release of Transcript Restriction set for 12/1/2008. (Lopez, K) (Entered: 08/29/2008)
11/21/2008	<u>330</u>	STATUS REPORT by Pamela Kincaid. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Certificate Certificate of Service)(Alexander, Paul) (Entered: 11/21/2008)
05/21/2009	<u>331</u>	STATUS REPORT by Pamela Kincaid, Doug Deatherage, Charlene Clay, Cynthia Greene, Joanna Garcia, Randy Johnson. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Alexander, Paul) (Entered: 05/21/2009)
05/21/2009	<u>332</u>	CERTIFICATE of SERVICE by Pamela Kincaid re <u>331</u> Status Report. (Alexander, Paul) (Entered: 05/21/2009)
12/02/2009	<u>333</u>	STATUS REPORT by Pamela Kincaid, Doug Deatherage, Charlene Clay, Cynthia Greene, Joanna Garcia, Randy Johnson. (Alexander, Paul) (Entered: 12/02/2009)
07/21/2010	<u>334</u>	STATUS REPORT by Charlene Clay, Doug Deatherage, Joanna Garcia, Cynthia Greene, Randy Johnson, Pamela Kincaid. (Alexander, Paul) (Entered: 07/21/2010)
05/05/2011	<u>335</u>	STATUS REPORT by Charlene Clay, Doug Deatherage, Joanna Garcia, Cynthia Greene, Randy Johnson, Pamela Kincaid. (Alexander, Paul) (Entered: 05/05/2011)
03/08/2012	<u>336</u>	STATUS REPORT by Pamela Kincaid. (Alexander, Paul) (Entered: 03/08/2012)
04/23/2013	337	MINUTE ORDER: (TEXT ENTRY ONLY) This closed case and Sanchez v. City of Fresno, 1:12cv00428 LJO SKO, involve similar questions of fact and law and therefore qualify as related cases under Local Rule. 123(a). To ensure appropriate review of the periodic status reports being filed in this matter, this case shall be directly reassigned to district judge Lawrence J. O'Neill and magistrate judge Sheila K. Oberto signed by District Judge Lawrence J. O'Neill on April 23, 2013. (Munoz, I) (Entered: 04/23/2013)
04/23/2013	338	CLERK'S NOTICE. This case is assigned to District Judge Lawrence J. O'Neill and Magistrate Judge Sheila K. Oberto. New Case Number: 1:06-cv-1445-LJO-SKO. (Robles, S) (Entered: 04/23/2013)