

PRISONER_CIVIL_RIGHTS,CLOSED

U.S. District Court
Eastern District of California – Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:13-cv-00882-MCE-AC

(PC) Jewett v. California Forensic Medical Group et al
Assigned to: Chief Judge Morrison C. England, Jr
Referred to: Magistrate Judge Allison Claire
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 05/06/2013
Date Terminated: 01/23/2019
Jury Demand: Both
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Everett Jewett

represented by **Amethyst Thormann**
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Mallory L. Sepler-King
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Maronel Barajas
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Plaintiff

Michael Donald Ackley

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Plaintiff

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Plaintiff

**Legal Services for Prisoners with
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V.

Defendant

**California Forensic Medical Group,
Inc.**

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Defendant

Shasta County Jail
TERMINATED: 09/24/2014

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Defendant

Jeremy Austin
Dr.
TERMINATED: 06/23/2016

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Defendant

Shasta County Sheriff's Department

represented by **Gary Charles Brickwood**
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Defendant

Mary Barnes
TERMINATED: 06/23/2016

represented by **Jerome Martin Varanini**
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Defendant

James Roemmich
TERMINATED: 06/23/2016

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Defendant

Sheriff Tom Bosenko

represented by **Gary Charles Brickwood**
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Defendant

Shasta County

represented by **Gary Charles Brickwood**
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Date Filed	#	Docket Text
05/06/2013	<u>1</u>	PRISONER CIVIL RIGHTS COMPLAINT against Austin, California Forensic Medical Group, Shasta County Jail by Everett Jewett. (Meuleman, A) (Entered: 05/10/2013)
05/06/2013	<u>2</u>	MOTION to PROCEED IN FORMA PAUPERIS by Everett Jewett. (Meuleman, A) (Entered: 05/10/2013)
05/10/2013	<u>3</u>	PRISONER NEW CASE DOCUMENTS and ORDER RE CONSENT ISSUED; Consent or Decline due by 6/13/2013 (Attachments: # <u>1</u> Order re Consent) (Meuleman, A) (Entered: 05/10/2013)
05/10/2013		SERVICE BY MAIL: <u>3</u> Prisoner New Case Documents for Magistrate Judge as Presider served on Everett Jewett. (Meuleman, A) (Entered: 05/10/2013)

05/22/2013	<u>4</u>	CONSENT to JURISDICTION of US MAGISTRATE JUDGE by Everett Jewett. (Michel, G) (Entered: 05/23/2013)
06/07/2013	<u>5</u>	FIRST AMENDED PRISONER CIVIL RIGHTS COMPLAINT against all Defendants by Everett Jewett. (Zignago, K.) (Entered: 06/10/2013)
08/27/2013	<u>6</u>	ORDER signed by Magistrate Judge Allison Claire on 08/26/13 granting <u>2</u> Motion to Proceed IFP. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. All fees shall be paid in accordance with the court's order to the Sheriff of Shasta County filed concurrently herewith. The amended complaint supersedes the original complaint. The amended complaint is dismissed for the reasons discussed above, with leave to file a second amended complaint within 28 days from the date of service of this order. (Plummer, M) (Entered: 08/27/2013)
08/27/2013		SERVICE BY MAIL: <u>6</u> Order on Motion to Proceed in forma pauperis, served on Everett Jewett. (Plummer, M) (Entered: 08/27/2013)
08/27/2013	<u>7</u>	ORDER DIRECTING MONTHLY PAYMENTS be made from Prison Account of Everett Jewett signed by Magistrate Judge Allison Claire on 08/26/13. The Sheriff of Shasta County shall collect payments from plaintiff's account and forward to the clerk until the \$350.00 filing fee is paid in full. Clerk to serve this order and a copy of plaintiff's IFP on the Sheriff of Shasta County. Clerk to also serve Financial with a copy of this order. (cc: Financial)(Plummer, M) (Entered: 08/27/2013)
08/27/2013		SERVICE BY MAIL: <u>7</u> Order Directing Prisoner Payment, served on Everett Jewett. A copy of this order and a copy of plaintiff's IFP <u>2</u> served on the Sheriff of Shasta County. (Plummer, M) (Entered: 08/27/2013)
09/12/2013	<u>8</u>	REQUEST for copy of amended complaint by Everett Jewett. (Zignago, K.) (Response sent: If you wish to have a conformed copy returned to you, you must file an original plus two copies and provide the court with a self-addressed stamped envelope with the correct postage.) Modified on 9/17/2013 (Dillon, M). (Entered: 09/13/2013)
09/16/2013	<u>9</u>	SECOND AMENDED PRISONER CIVIL RIGHTS COMPLAINT against Austin, California Forensic Medical Group, Shasta County Jail by Everett Jewett. (Meuleman, A) (Entered: 09/17/2013)
10/15/2013	<u>10</u>	MOTION for SUMMARY JUDGMENT by Everett Jewett. (Meuleman, A) (Entered: 10/16/2013)
01/22/2014	<u>11</u>	ORDER signed by Magistrate Judge Allison Claire on 01/21/14 ordering plaintiff's claims of negligence and due process violations against the defendants are dismissed for the reasons discussed above, with leave to file a third amended complaint within 28 days from the date of service of this order. Plaintiff's premature motion for summary judgment <u>10</u> is hereby vacated. (Plummer, M) (Entered: 01/22/2014)
01/22/2014		SERVICE BY MAIL: <u>11</u> Order on Motion for Summary Judgment, served on Everett Jewett. (Plummer, M) (Entered: 01/22/2014)
02/03/2014	<u>12</u>	MOTION for 90-DAY EXTENSION OF TIME to Amend <u>9</u> Second Amended Prisoner Civil Rights Complaint by Everett Jewett. (Mena-Sanchez, L) (Entered: 02/04/2014)
02/14/2014	<u>13</u>	[STRICKEN- PURSUANT TO <u>14</u> Order] THIRD AMENDED PRISONER CIVIL RIGHTS COMPLAINT against all defendants by plaintiff Everett Jewett. (Marciel, M) Modified on 3/26/2014 (Donati, J). (Entered: 02/18/2014)
02/20/2014	<u>14</u>	ORDER signed by Magistrate Judge Allison Claire on 02/19/14 ordering plaintiff's proposed amended complaint <u>13</u> filed on 2/14/14 is stricken. Plaintiff's motion for an extension of time <u>12</u> is granted. Plaintiff is granted 60 days from the date of this order to file a third amended complaint. There will be no further extension, and failure to file a third amended complaint in accordance with this order will result in this action proceeding against the defendants and on the claims of the second amended complaint this court has previously found cognizable. (Plummer, M) (Entered: 02/20/2014)
02/20/2014		SERVICE BY MAIL: <u>14</u> Order on Motion for Extension,, served on Everett Jewett. (Plummer, M) (Entered: 02/20/2014)

03/24/2014	<u>15</u>	THIRD AMENDED PRISONER CIVIL RIGHTS COMPLAINT against all defendants by plaintiff Everett Jewett. (Attachments: # <u>1</u> Civil Cover Sheet) (MAINTAINED ON PAPER) (Marciel, M) Modified on 3/26/2014 (Donati, J). (Entered: 03/25/2014)
03/24/2014	<u>16</u>	MOTION to PROCEED IN FORMA PAUPERIS by plaintiff Everett Jewett. (Marciel, M) (Entered: 03/25/2014)
04/02/2014	<u>17</u>	FOURTH AMENDED PRISONER CIVIL RIGHTS COMPLAINT against Everett Jewett by Everett Jewett.(Reader, L) (Entered: 04/03/2014)
04/30/2014	<u>18</u>	LETTER from plaintiff Everett Jewett regarding his extensive spinal injuries and disabilities. (Marciel, M) (Entered: 05/01/2014)
07/03/2014	<u>19</u>	LETTER confirming mailing address; REQUEST FOR STATUS from Everett Jewett. (Michel, G) (Response Sent – The Court will notify you as soon as any action is taken on your case.) Modified on 7/14/2014 (Yin, K). (Entered: 07/07/2014)
09/02/2014	<u>20</u>	REQUEST for status of case by Everett Jewett. (Kastilahn, A)(Response sent: "The Court will notify you as soon as any action is taken in your case.") Modified on 9/3/2014 (Plummer, M). (Entered: 09/03/2014)
09/24/2014	<u>21</u>	ORDER signed by Magistrate Judge Allison Claire on 9/24/2014 ORDERING that service is appropriate for Dr. Jeremy Austin, California Forensic Medical Group, Inc., Shasta County Sheriff's Department, Mary Barns and James Roemeh; the Clerk shall send plaintiff forms for service to be completed and returned within 28 days. (Yin, K) (Entered: 09/24/2014)
09/24/2014		SERVICE BY MAIL: <u>21</u> Order along with 1 Summons, 5 USM-285 forms, an instruction sheet and 1 copy of the 4/2/14 amended complaint served on Everett Jewett. (Yin, K) (Entered: 09/24/2014)
10/01/2014	<u>22</u>	NOTICE OF SUBMISSION OF DOCUMENTS: 1 Summons, 5 USM-285 Forms, and 6 copies of the 4th amended complaint by Everett Jewett. (Reader, L) (Entered: 10/02/2014)
10/03/2014	<u>23</u>	NOTICE of submission of documents for documents already submitted by Everett Jewett. (Manzer, C) (Entered: 10/06/2014)
10/09/2014	<u>24</u>	ORDER DIRECTING USM to serve process within 14 days on defendants Jeremy Austin, Mary Barns, California Forensic Medical Group, Inc., James Roemeh and Shasta County Sheriff's Department signed by Magistrate Judge Allison Claire on 10/7/2014. The Clerk is directed to forward to the USM documents for service, the form re consent or request for reassignment and this order. The Clerk shall also send plaintiff a copy of the Local Rules. (Yin, K) (Entered: 10/09/2014)
10/09/2014		SERVICE BY MAIL: <u>24</u> Order and Local Rules served on Everett Jewett. The USM served with instructions for service, completed summons, 5 USM-285 forms, 6 copies each of the 4/2/2014 complaint, the order re consent and <u>24</u> service process order.(Yin, K) (Entered: 10/09/2014)
10/09/2014	<u>25</u>	ORDER RE CONSENT OR REQUEST FOR REASSIGNMENT signed by Magistrate Judge Allison Claire on 10/9/2014. (cc: for USM service) (Yin, K) (Entered: 10/09/2014)
10/31/2014	<u>26</u>	WAIVER of SERVICE RETURNED EXECUTED: defendants Jeremy Austin, Mary Barns, and James Roemeh Waiver sent on 10/17/2014. (Marciel, M) Modified on 11/4/2014 (Plummer, M). (Entered: 11/03/2014)
11/14/2014	<u>29</u>	ADDENDUM to the 4th amended complaint by Everett Jewett. (Kastilahn, A) (Entered: 11/17/2014)
11/17/2014	<u>27</u>	ANSWER TO PRISONER CIVIL RIGHTS COMPLAINT with Jury Demand by Jeremy Austin, Mary Barns, James Roemeh and California Forensic Medical Group, Inc.. Attorney Varanini, Jerome Martin added. (Attachments: # <u>1</u> Proof of Service)(Varanini, Jerome) Modified on 11/19/2014 (Yin, K). (Entered: 11/17/2014)
11/17/2014	<u>28</u>	[DISREGARD, DUPLICATE OF <u>27</u> ANSWER] ANSWER TO PRISONER CIVIL RIGHTS COMPLAINT with Jury Demand by James Roemeh. Attorney Varanini,

		Jerome Martin added. (Attachments: # <u>1</u> Proof of Service)(Varanini, Jerome) Modified on 11/20/2014 (Yin, K). (Entered: 11/17/2014)
11/21/2014	<u>30</u>	DISCOVERY and SCHEDULING ORDER signed by Magistrate Judge Allison Claire on 11/20/2014: Discovery due by 3/13/2015; Pretrial Motions, except motions to compel discovery, due on or before 6/5/2015; and Pretrial Conference and Trial dates will be set as appropriate. (Yin, K) (Entered: 11/21/2014)
11/21/2014		SERVICE BY MAIL: <u>30</u> Discovery and Scheduling Order served on Everett Jewett. (Yin, K) (Entered: 11/21/2014)
12/17/2014	<u>31</u>	ANSWER with Jury Demand by Shasta County Sheriff's Department. Attorney Brickwood, Gary Charles added. (Attachments: # <u>1</u> Proof of Service)(Brickwood, Gary) (Entered: 12/17/2014)
12/17/2014	<u>32</u>	DECLINE to PROCEED BEFORE US MAGISTRATE JUDGE by Shasta County Sheriff's Department. (Attachments: # <u>1</u> Proof of Service)(Brickwood, Gary) Modified on 12/17/2014 (Plummer, M). (Entered: 12/17/2014)
12/17/2014	<u>33</u>	CLERK'S NOTICE (text only): This case has been assigned to U.S. District Judge Morrison C. England Jr. and U.S. Magistrate Judge Allison Claire; the new case number is 2:13-cv-882 MCE AC (PC). (Plummer, M) (Entered: 12/17/2014)
12/17/2014		SERVICE BY MAIL: <u>33</u> Notice – Other served on Everett Jewett. (Plummer, M) (Entered: 12/17/2014)
12/19/2014	<u>34</u>	WAIVER of SERVICE RETURNED EXECUTED: Shasta County Sheriff's Department Waiver sent on 10/17/2014. (Zignago, K.) (Entered: 12/22/2014)
12/29/2014		MAIL RETURNED as No longer in custody: unable to forward <u>33</u> Notice sent to Everett Jewett. Notice of Change of Address due by 3/9/2015. (Mena-Sanchez, L) (Entered: 12/31/2014)
01/16/2015	<u>35</u>	NOTICE of CHANGE of ADDRESS to PO Box 600, Tracy, CA 95378 by Everett Jewett. and notice of counsel.(Becknal, R) (Entered: 01/20/2015)
01/26/2015		RE-SERVICE BY MAIL: <u>33</u> Notice – Other served on Everett Jewett. (Dillon, M) (Entered: 01/26/2015)
02/03/2015	<u>36</u>	SUMMONS RETURNED EXECUTED: California Forensic Medical Group, Inc. served on 1/23/2015. (Zignago, K.) (Entered: 02/05/2015)
02/03/2015	<u>37</u>	REQUEST for Court Order Reimbursing Service Fees filed by USM. (Zignago, K.) (Entered: 02/05/2015)
02/20/2015	<u>38</u>	CERTIFICATE of SERVICE by Shasta County Sheriff's Department re <u>31</u> Answer to Complaint. (Brickwood, Gary) (Entered: 02/20/2015)
02/20/2015	<u>39</u>	CERTIFICATE of SERVICE by Shasta County Sheriff's Department regarding document <u>32</u> . (Brickwood, Gary) Modified on 2/23/2015 (Plummer, M). (Entered: 02/20/2015)
03/02/2015	<u>40</u>	MOTION for 180-DAY EXTENSION OF TIME to Extend Cut-Off Dates for Discovery and Dispositive Motions by Shasta County Sheriff's Department. (Attachments: # <u>1</u> Points and Authorities, # <u>2</u> Declaration of Gary Brickwood, # <u>3</u> Proposed Order, # <u>4</u> Proof of Service)(Brickwood, Gary) Modified on 3/3/2015 (Plummer, M). (Entered: 03/02/2015)
03/03/2015	<u>41</u>	STATEMENT of NON-OPPOSITION by Jeremy Austin, Mary Barnes, California Forensic Medical Group, Inc., James Roemmich to <u>40</u> MOTION for 180-DAY EXTENSION OF TIME to Extend Cut-Off Dates for Discovery and Dispositive Motions. (Attachments: # <u>1</u> Proof of Service)(Varanini, Jerome) (Entered: 03/03/2015)
03/05/2015	<u>42</u>	ORDER signed by Magistrate Judge Allison Claire on 3/4/2015 GRANTING defendant's <u>40</u> motion and VACATING the 4/1/2015 hearing; the Scheduling Order is revised as to discovery is extended to 9/9/2015, and all pretrial motions, except motions to compel discovery, shall be filed on or before 12/2/2015. (Yin, K) (Entered: 03/05/2015)

03/05/2015		SERVICE BY MAIL: <u>42</u> Order on Motion for Extension served on Everett Jewett. (Yin, K) (Entered: 03/05/2015)
04/10/2015	<u>43</u>	MOTION to COMPEL by Everett Jewett. (Zignago, K.) (Entered: 04/14/2015)
04/16/2015	<u>44</u>	OPPOSITION by California Forensic Medical Group, Inc. to <u>43</u> MOTION to COMPEL. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proof of Service)(Varanini, Jerome) Modified on 4/17/2015 (Plummer, M). (Entered: 04/16/2015)
05/14/2015	<u>45</u>	NOTICE of APPEARANCE by Jon Ali Atabek on behalf of Everett Jewett. Attorney Atabek, Jon Ali added. (Atabek, Jon) (Entered: 05/14/2015)
06/08/2015	<u>46</u>	NOTICE of APPEARANCE by Anna Mercedes Rivera on behalf of Everett Jewett. Attorney Rivera, Anna Mercedes added. (Rivera, Anna) (Entered: 06/08/2015)
08/13/2015	<u>47</u>	NOTICE of CHANGE of ADDRESS to California Medical Facility, PO Box 2500, Vacaville, CA 95696-2500 by Everett Jewett. (Zignago, K.) (Entered: 08/14/2015)
08/25/2015	<u>48</u>	NOTICE of APPEARANCE by Kara Jane Janssen on behalf of Everett Jewett. Attorney Janssen, Kara Jane added. (Janssen, Kara) (Entered: 08/25/2015)
08/25/2015	<u>49</u>	STIPULATION and PROPOSED ORDER for Vacate Discovery Cutoff and Dispositive Motion Deadline by Shasta County Sheriff's Department. (Attachments: # <u>1</u> Proposed Order)(Brickwood, Gary) (Entered: 08/25/2015)
08/31/2015	<u>50</u>	ORDER signed by Magistrate Judge Allison Claire on 08/28/15 ordering that the discovery deadline of 09/09/15 and the dispositive motion deadline of 12/02/15 are vacated. The Discovery and Scheduling Order <u>30</u> is hereby revised as follows: The parties may conduct discovery until 03/15/16. All pretrial motions, except motions to compel discovery, shall be filed on or before 6/15/16. (Plummer, M) (Entered: 08/31/2015)
11/18/2015	<u>51</u>	ORDER signed by Magistrate Judge Allison Claire on 11/18/15 DENYING without prejudice plaintiff's <u>43</u> motion to compel. (Yin, K) (Entered: 11/18/2015)
01/04/2016	<u>52</u>	PROPOSED ORDER re Stipulated Protective Order by Everett Jewett. (Janssen, Kara) (Entered: 01/04/2016)
01/11/2016	<u>53</u>	STIPULATED PROTECTIVE ORDER signed by Magistrate Judge Allison Claire on 1/08/16. (See order for further details).(Plummer, M) (Entered: 01/11/2016)
01/12/2016	<u>54</u>	NOTICE of APPEARANCE by Jonathan Gibson on behalf of Everett Jewett. Attorney Gibson, Jonathan added. (Gibson, Jonathan) (Entered: 01/12/2016)
03/14/2016	<u>55</u>	STIPULATION and PROPOSED ORDER for Vacate Discovery Cutoff and Dispositive Motion Deadline by Everett Jewett. (Attachments: # <u>1</u> Proposed Order Proposed Order to Vacate Discovery Cutoff and Dispositive Motion Deadlines)(Janssen, Kara) (Entered: 03/14/2016)
03/16/2016	<u>56</u>	ORDER signed by Magistrate Judge Allison Claire on 03/15/16 ordering that the discovery cut-off of 03/15/16 and the dispositive motion deadline of 06/15/16 are vacated. Plaintiff will file or seek leave to file, Plaintiff's amended complaint within 60 days of this order. (Plummer, M) (Entered: 03/16/2016)
05/06/2016	<u>57</u>	NOTICE of APPEARANCE by Steven P. Ragland on behalf of Everett Jewett. Attorney Ragland, Steven P. added. (Ragland, Steven) (Entered: 05/06/2016)
05/06/2016	<u>58</u>	NOTICE of APPEARANCE by Ajay Sundar Krishnan on behalf of Everett Jewett. Attorney Krishnan, Ajay Sundar added. (Krishnan, Ajay) (Entered: 05/06/2016)
05/06/2016	<u>59</u>	NOTICE of APPEARANCE by Joseph Taylor Gooch on behalf of Everett Jewett. Attorney Gooch, Joseph Taylor added. (Gooch, Joseph) (Entered: 05/06/2016)
05/16/2016	<u>60</u>	STIPULATION and PROPOSED ORDER for Motion for An Extension to File Plaintiff's Fifth Amended Complaint by Everett Jewett. (Gooch, Joseph) (Entered: 05/16/2016)
05/17/2016	<u>61</u>	ORDER signed by District Judge Morrison C. England, Jr. on 5/16/2016 ORDERING that the deadline to file plaintiff's Fifth Amended Complaint is EXTENDED to 5/30/2016. (Reader, L) (Entered: 05/17/2016)

05/25/2016	<u>62</u>	STIPULATION and PROPOSED ORDER for Leave to File Fifth Amended Complaint by Everett Jewett. (Attachments: # <u>1</u> Exhibit A)(Gooch, Joseph) (Entered: 05/25/2016)
06/02/2016	<u>63</u>	STIPULATION and ORDER signed by District Judge Morrison C. England, Jr., on 6/1/16, ORDERING that the Court grants leave for Plaintiff to file a Fifth Amended Complaint. (Kastilahn, A) (Entered: 06/02/2016)
06/02/2016	<u>64</u>	CIVIL COVER SHEET by Everett Jewett (Ragland, Steven) (Entered: 06/02/2016)
06/02/2016	<u>65</u>	FIFTH AMENDED PRISONER CIVIL RIGHTS COMPLAINT against All Defendants by all Plaintiffs. (Ragland, Steven) Modified on 6/2/2016 (Kastilahn, A). (Entered: 06/02/2016)
06/02/2016	<u>66</u>	DEMAND for TRIAL by JURY by all Plaintiffs. Attorney Ragland, Steven P. added. (Ragland, Steven) Modified on 6/2/2016 (Kastilahn, A). (Entered: 06/02/2016)
06/23/2016	<u>67</u>	ORDER signed by Magistrate Judge Allison Claire on 06/22/16 ordering Dr. Jeremy Austin, Mary Barns, and James Roemeh are dismissed as defendants in this action. Service is appropriate for the following defendants: Shasta County and Tom Bosenko, Sheriff of Shasta County. Within fourteen days of the date of this order, counsel for defendant Shasta County Sheriffs Department, Mr. Gary Brickwood, is directed to file waivers of service of process for new defendants Shasta County and Tom Bosenko, or show cause in writing why he is unable to do so. All defendants shall have thirty days from the date of service of the fifth amended complaint, or the filing of waivers of service thereto, to answer or otherwise respond to the complaint. Within sixty days of the filing date of this order, the parties shall file a joint statement of availability for the period of September 1, 2016 through November 30, 2016, indicating blackout dates when counsel will not be available for a status conference. (Plummer, M) Modified on 6/23/2016 (Plummer, M). (Entered: 06/23/2016)
07/06/2016	<u>68</u>	ANSWER TO PRISONER CIVIL RIGHTS COMPLAINT with Jury Demand by California Forensic Medical Group, Inc.. (Varanini, Jerome) (Entered: 07/06/2016)
07/07/2016	<u>69</u>	WAIVERS of SERVICE RETURNED EXECUTED: Tom Bosenko Waiver and Shasta County Waivers sent on 6/2/2016. (Brickwood, Gary) Modified on 7/8/2016 (Yin, K). (Entered: 07/07/2016)
07/18/2016	<u>70</u>	ANSWER with Jury Demand by Tom Bosenko, Shasta County, Shasta County Sheriff's Department. (Brickwood, Gary) (Entered: 07/18/2016)
07/29/2016	<u>71</u>	NOTICE of CHANGE of ADDRESS by Anna Mercedes Rivera. (Rivera, Anna) (Entered: 07/29/2016)
08/19/2016	<u>72</u>	JOINT STATEMENT in response to the Court's June 23, 2016 order <u>67</u> by Plaintiffs Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. Attorney Gooch, Joseph Taylor added. (Gooch, Joseph) Modified on 8/22/2016 (Plummer, M). (Entered: 08/19/2016)
08/31/2016	<u>73</u>	ORDER signed by Magistrate Judge Allison Claire on 8/31/2016 SETTING a Status (Pretrial Scheduling) Conference for 10/19/2016 at 10:00 AM in Courtroom 26 (AC) before Magistrate Judge Allison Claire. No later than 14 days prior to the Status Conference, the parties shall file a Joint Status Report in accordance with this order. The Clerk shall attach to this order the form "Consent to Proceed Before a Magistrate Judge". (Attachments: # <u>1</u> Order re Consent) (Yin, K) (Entered: 08/31/2016)
09/01/2016	<u>74</u>	NOTICE OF CHANGE IN COUNSEL by Everett Jewett. (Rivera, Anna) (Entered: 09/01/2016)
09/02/2016	<u>75</u>	DESIGNATION of COUNSEL FOR SERVICE. Added attorney Maronel Barajas for Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children and Harold Robert Marquette (Rivera, Anna) Modified on 9/6/2016 (Plummer, M). (Entered: 09/02/2016)
09/06/2016	<u>76</u>	NOTICE of Consent to Jurisdiction of a United States Magistrate Judge by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette re <u>73</u> Order Re Consent or Request for Reassignment,, Set/Reset Deadlines and Hearings,. (Gooch, Joseph) (Entered: 09/06/2016)

		09/06/2016)
09/15/2016	<u>77</u>	DECLINE to PROCEED BEFORE US MAGISTRATE JUDGE by Tom Bosenko, Shasta County, Shasta County Sheriff's Department. (Brickwood, Gary) (Entered: 09/15/2016)
10/04/2016	<u>78</u>	JOINT STATUS REPORT by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Gooch, Joseph) (Entered: 10/04/2016)
10/19/2016	<u>79</u>	MINUTES (Text Only) for proceedings before Magistrate Judge Allison Claire: SCHEDULING CONFERENCE held on 10/19/2016. The court and the parties discussed various issues regarding plaintiff's motion to certify a class and the informally lifted stay regarding discovery. After the hearing the court informed the parties a scheduling order would be issued as soon as possible. Plaintiffs Counsel Jon Atabek, Jonathan Gibpson, Joseph Gooch present in court. And Anna Rivera via telephone. Defendants Counsel Gary Brickwood present. Court Reporter/CD Number: Jonathan Anderson. (Callen, V) (Entered: 10/19/2016)
10/20/2016	<u>80</u>	AMENDED DISCOVERY and SCHEDULING ORDER signed by Magistrate Judge Allison Claire on 10/19/2016: Initial Disclosures to be exchanged by 11/2/2016; Fact Discovery due by 5/1/2017; Pretrial motions, except motions to compel discovery, on or before 9/15/2017; the parties are ordered to file a Joint Notice of Trial Readiness no later than 30 days after receiving this Court's ruling(s) on the last filed dispositive motions.(Yin, K) (Entered: 10/20/2016)
12/01/2016	<u>81</u>	AUDIO RECORDING REQUEST by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette for proceedings held on October 19, 2016 before Judge Hon. Allison Claire. (Gooch, Joseph) (Entered: 12/01/2016)
12/01/2016		RECEIPT number #CAE200078357 \$31.00 fbo Nationwide Legal, LLC by Nationwide Legal, LLC on 12/1/2016 re <u>81</u> Audio Recording Request. (Benson, A) (Entered: 12/01/2016)
12/22/2016	<u>82</u>	NOTICE of CHANGE of ADDRESS by Anna Mercedes Rivera. (Rivera, Anna) (Entered: 12/22/2016)
01/27/2017	<u>83</u>	MOTION to CERTIFY CLASS by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children. Motion Hearing set for 3/8/2017 at 10:00 AM in Courtroom 26 (AC) before Magistrate Judge Allison Claire. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Declaration of Taylor Gooch, # <u>3</u> Exhibit A-P to Taylor Gooch Declaration, # <u>4</u> Declaration of Everett Jewett, # <u>5</u> Declaration of Glen Harold Everett, # <u>6</u> Declaration of Michael Donald Ackley, # <u>7</u> Declaration of Dorsey Nunn, # <u>8</u> Declaration of Steven P. Ragland, # <u>9</u> Declaration of Anna Rivera, # <u>10</u> Exhibit A to Anna Rivera Declaration, # <u>11</u> Exhibit B to Anna Rivera Declaration, # <u>12</u> Declaration of Jon A. Atabek)(Ragland, Steven) Modified on 1/30/2017 (Yin, K). (Entered: 01/27/2017)
02/02/2017	<u>84</u>	STIPULATION (Joint) and PROPOSED ORDER Extending Case Deadlines by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Gooch, Joseph) Modified on 2/3/2017 (Yin, K). (Entered: 02/02/2017)
02/03/2017	<u>85</u>	STIPULATION and ORDER signed by Magistrate Judge Allison Claire on 02/02/17 ordering the present discovery cut-off and deadlines for filing of dispositive motions contained in the October 20, 2016 order are vacated. Fact discovery shall be completed by November 1, 2017. Motions to compel must be heard not later than October 10, 2017. Initial expert disclosures shall be made on or before January 10, 2018; rebuttal expert disclosures shall be made on or before February 1, 2018. The parties are ordered to file a Joint Notice of Trial Readiness not later than thirty(30) days after receiving the Courts ruling(s) on the last filed dispositive motion(s). If the parties do not intend to file dispositive motions, the parties are ordered to file a Joint Notice of Trial Readiness not later than thirty (30) days after the close of discovery and the notice must include statements of intent to forgo the filing of dispositive motions. After review of the parties Joint Notice of Trial Readiness, the Court will issue an order that sets forth dates for a final pretrial conference and trial. (Plummer, M)

		Modified on 2/3/2017 (Plummer, M). (Entered: 02/03/2017)
02/22/2017	<u>86</u>	STATEMENT of NON-OPPOSITION by Tom Bosenko, Shasta County, Shasta County Sheriff's Department to <u>83</u> MOTION to CERTIFY CLASS. (Brickwood, Gary) (Entered: 02/22/2017)
02/22/2017	<u>87</u>	STATEMENT of NON-OPPOSITION by California Forensic Medical Group, Inc. to <u>83</u> MOTION to CERTIFY CLASS. (Varanini, Jerome) (Entered: 02/22/2017)
03/08/2017	88	Private note: MINUTES (Text Only)for proceedings before Magistrate Judge Allison Claire: MOTION HEARING held on 3/8/2017 re 83 MOTION to CERTIFY CLASS filed by Michael Donald Ackley, Legal Services for Prisoners with Children, Glen Harold Everett, Everett Jewett. The motion is granted and the court will issue findings and recommendations. Plaintiffs Counsel Steven Ragland and Joseph Gooch. Via telephone Maronel Barajas. Defendants Counsel Via Telephone Gary Brickwood.Court Reporter/CD Number: Jonathan Anderson. (Callen, V) (Entered: 03/08/2017)
03/09/2017	<u>89</u>	FINDINGS and RECOMMENDATIONS signed by Magistrate Judge Allison Claire on 03/08/17 recommending that plaintiffs motion for class certification <u>83</u> be granted. The following class be certified pursuant to Rule 23(b)(2) of the Federal Rules of Civil Procedure: All current and future detainees and prisoners at Shasta County Jail with mobility disabilities who, because of their disabilities, need appropriate accommodations, modifications ,services, and and/or physical access in accordance with federal and state disability laws. Keker & Van Nest LLP, Disability Rights Legal Center, and Atabek & Associates,P.C. be appointed class counsel. Motion <u>83</u> referred to Judge Morrison C. England Jr. Objections due within 7 days. (Plummer, M) Modified on 3/9/2017 (Plummer, M). (Entered: 03/09/2017)
03/13/2017	<u>90</u>	ORDER and AMENDED FINDINGS and RECOMMENDATIONS signed by Magistrate Judge Allison Claire on 03/13/17 vacating <u>89</u> FINDINGS AND RECOMMENDATIONS. Also, RECOMMENDING that plaintiff's motion for class certification <u>83</u> be granted. The following class be certified pursuant to Rule 23(b)(2) of the Federal Rules of Civil Procedure: All current and future detainees and prisoners at Shasta County Jail with mobility disabilities who, because of their disabilities, need appropriate accommodations, modifications,services, and and/or physical access in accordance with federal and state disability laws. Keker & Van Nest LLP, Disability Rights Legal Center, and Atabek & Associates,P.C. be appointed class counsel. MOTION to CERTIFY CLASS <u>83</u> referred to Judge Morrison C. England Jr. Objections due within 7 days.(Plummer, M) Modified on 3/13/2017 (Plummer, M). (Entered: 03/13/2017)
03/13/2017	91	MINUTE ORDER: (Text Only). The parties have stipulated to a settlement conference before the Honorable Allison Claire U.S. Magistrate Judge, whom the case is assigned. Within seven (7) days from the date of this minute order, the parties are to file a waiver of disqualification pursuant to Local Rule 270(b). The Settlement Conference Hearing is scheduled for May 18, 2017 at 09:00 AM in Courtroom 26 (AC) before Magistrate Judge Allison Claire. The parties are directed to submit confidential settlement conference statements no later than May 11, 2017, to the following email address: acorders@caed.uscourts.gov. Furthermore, each party shall file a Notice of Submission of Confidential Settlement Conference Statement pursuant to Local Rule 270(d). All parties are required to have principals present at the settlement conference. I HEREBY CERTIFY that the foregoing is a true and correct statement of an order made in the above captioned case. (Callen, V) (Entered: 03/13/2017)
03/13/2017	<u>92</u>	NOTICE OF CHANGE OF FIRM NAME AND EMAIL ADDRESS CHANGE by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Gooch, Joseph) (Entered: 03/13/2017)
03/13/2017	<u>93</u>	NOTICE of Waiver Re Claim of Disqualification of Magistrate Judge Allison Claire by Plaintiffs re 91 Minute Order. (Gooch, Joseph) Modified on 3/15/2017 (Yin, K). (Entered: 03/13/2017)
03/20/2017	<u>94</u>	NOTICE of Waiver of Disqualification of Settlement Judge Pursuant to Local Rule 270(b) by Tom Bosenko, Shasta County, Shasta County Jail, Shasta County Sheriff's Department. Attorney Brickwood, Gary Charles added. (Brickwood, Gary) (Entered: 03/20/2017)

		03/20/2017)
03/20/2017	<u>95</u>	NOTICE of Waiver of Disqualification of Settlement Judge by California Forensic Medical Group, Inc.. (Varanini, Jerome) (Entered: 03/20/2017)
04/05/2017	<u>96</u>	ORDER signed by District Judge Morrison C. England, Jr. on 4/4/2017 ADOPTING IN FULL <u>90</u> Findings and Recommendations; GRANTING <u>83</u> Motion to Certify Class; DEFINING the certified class; APPOINTING Kecker & Van Nest LLP, Disability Rights Legal Center, and Atabek & Associates, P.C. as class counsel. (Michel, G.) (Entered: 04/05/2017)
04/25/2017	<u>97</u>	STIPULATION and PROPOSED ORDER Excusing Plaintiffs Ackley and Everett from Attending May 18, 2017 Settlement Conference by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Gooch, Joseph) Modified on 4/26/2017 (Henshaw, R). (Entered: 04/25/2017)
04/25/2017	<u>98</u>	STIPULATION and PROPOSED ORDER to Appear Via Phone at Mandatory Settlement Conference by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Gooch, Joseph) Modified on 4/26/2017 (Henshaw, R). (Entered: 04/25/2017)
04/25/2017	<u>99</u>	[DISREGARD DUPLICATE OF DOCUMENT <u>97</u>]STIPULATION and PROPOSED ORDER for Stipulation and [Proposed] Writ of Habeas Corpus Ad Testificandum by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Gooch, Joseph) Modified on 4/26/2017 (Henshaw, R). (Entered: 04/25/2017)
04/26/2017	100	CLERK'S NOTICE of DOCKET CORRECTION re <u>99</u> Stipulation and Proposed Order. This document is a duplicate of document <u>97</u> and should be disregarded. Attorney is directed to resubmit his Stipulation and Proposed Order for Writ of Habeas Corpus Ad Testificandum. (TEXT ONLY) (Henshaw, R) (Entered: 04/26/2017)
04/27/2017	<u>101</u>	STIPULATION and PROPOSED ORDER for Stipulation and [Proposed] Writ of Habeas Corpus Ad Testificandum by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Gooch, Joseph) (Entered: 04/27/2017)
04/27/2017	<u>102</u>	STIPULATION and ORDER signed by Magistrate Judge Allison Claire on 4/27/2017 ALLOWING plaintiff to appear by phone at the Settlement Conference set for 5/18/2017 at 09:00 AM in Courtroom 26 (AC) before Magistrate Judge Allison Claire. (Henshaw, R) (Entered: 04/27/2017)
04/27/2017	<u>103</u>	STIPULATION and WRIT ISSUED signed by Magistrate Judge Allison Claire on 4/27/2017 ORDERING the Warden of California Medical Facility to produce plaintiff Everett Jewett by phone for the Settlement Conference on 5/18/2017 at 9:00 AM. (3 certified copies to Warden, CMF) (Henshaw, R) (Entered: 04/27/2017)
04/27/2017	<u>104</u>	ORDER signed by Magistrate Judge Allison Claire on 4/27/2017 EXCUSING plaintiffs Ackley and Everett from appearing at the settlement conference scheduled for 5/18/2017 at 9:00 AM. (Henshaw, R) (Entered: 04/27/2017)
05/11/2017	<u>105</u>	NOTICE of Lodging of Plaintiffs' Confidential Settlement Conference Statement by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Gooch, Joseph) (Entered: 05/11/2017)
05/11/2017	<u>106</u>	NOTICE of Lodging of Confidential Settlement Conference Statement by California Forensic Medical Group, Inc.. (Varanini, Jerome) (Entered: 05/11/2017)
05/11/2017	<u>107</u>	NOTICE of Submission of Confidential Settlement Conference Statement by Shasta County Defendants by Tom Bosenko, Shasta County, Shasta County Sheriff's Department. (Brickwood, Gary) (Entered: 05/11/2017)
05/18/2017	108	MINUTES (Text Only) for proceedings before Magistrate Judge Allison Claire: SETTLEMENT CONFERENCE held on 5/18/2017; CASE NOT SETTLED at this time. Continued Settlement Conference scheduled for 8/10/2017 at 09:00 AM in Courtroom 26 (AC) before Magistrate Judge Allison Claire. Plaintiffs Counsel Steven

		Ragland, Jon Atabec, Anna Rivera, Joseph Gooch and Maronel Barajas present. Defendants Counsel Jerome Varanini and Gary Brickwood present. Court Reporter/CD Number: 1 of 1. (Callen, V) (Entered: 05/18/2017)
05/24/2017	<u>109</u>	STIPULATION and PROPOSED ORDER Extending Case Deadlines by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Gooch, Joseph) Modified on 5/25/2017 (Plummer, M). (Entered: 05/24/2017)
05/25/2017	<u>110</u>	STIPULATION and ORDER signed by Magistrate Judge Allison Claire on 05/25/17 ordering The present discovery cut-off and deadlines for filing of dispositive motions contained in the February 3, 2017 Order are vacated. Fact discovery shall be completed by March 30, 2018. Motions to compel must be heard not later than March 16, 2018. Initial expert disclosures shall be made on or before April 30, 2018; rebuttal expert disclosures shall be made on or before May 18, 2018. All pretrial motions, except motions to compel discovery, shall be completed on or before June 30, 2018. The parties are ordered to file a Joint Notice of Trial Readiness not later than thirty days after receiving the Courts ruling(s) on the last filed dispositive motion(s). If the parties do not intend to file dispositive motions, the parties are ordered to file a Joint Notice of Trial Readiness not later than thirty days after the close of discovery and the notice must include statements of intent to forgo the filing of dispositive motions. After review of the parties Joint Notice of Trial Readiness, the Court will issue an order that sets forth dates for a final pretrial conference and trial. (Plummer, M) Modified on 5/25/2017 (Plummer, M). (Entered: 05/25/2017)
06/20/2017	<u>111</u>	MINUTE ORDER: (Text Only) re 108 Settlement Conference. The parties previously stipulated to a settlement conference before the Honorable Allison Claire U.S. Magistrate Judge, whom the case is assigned and have filed their waivers pursuant to Local Rule 270(b). The Settlement Conference is now continued for Hearing on August 10, 2017 at 09:00 AM in Courtroom 26 (AC) before Magistrate Judge Allison Claire. The parties are directed to submit confidential settlement conference statements no later than August 3, 2017, to the following email address: acorders@caed.uscourts.gov. Furthermore, each party shall file a Notice of Submission of Confidential Settlement Conference Statement pursuant to Local Rule 270(d). All parties are required to have principals present at the settlement conference. I HEREBY CERTIFY that the foregoing is a true and correct statement of an order made in the above captioned case. (Callen, V) (Entered: 06/20/2017)
08/02/2017	<u>112</u>	NOTICE of Submission of Confidential Settlement Conference Statement by Shasta County Defendants by Tom Bosenko, Shasta County, Shasta County Sheriff's Department. (Brickwood, Gary) (Entered: 08/02/2017)
08/03/2017	<u>113</u>	NOTICE OF FILING DOCUMENT IN PAPER by California Forensic Medical Group, Inc.: Notice of Submission of Confidential Settlement Conference Statement. (Varanini, Jerome) (Entered: 08/03/2017)
08/03/2017	<u>114</u>	NOTICE OF LODGING OF PLAINTIFFS' CONFIDENTIAL SETTLEMENT CONFERENCE STATEMENT by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Ragland, Steven) (Entered: 08/03/2017)
08/10/2017	<u>115</u>	MINUTES (Text Only) for proceedings before Magistrate Judge Allison Claire: SETTLEMENT CONFERENCE held on 8/10/2017; The parties have concluded round two of the Settlement Conference in this case, subject to the approval by the Shasta County Board of Supervisors. The parties have settled the Class Wide Injunctive Relief portion of the law suit. A memorandum of understanding regarding the settlement has been executed and signed by all counsel present today. Its attached class action agreement and release of claims will be finalized according to its own terms following approval by the Shasta County Board of Supervisors. Issues regarding attorney fees will be left to motion before the District Court. The individual damages claims of Mr. Jewett remain open in this law suit. CASE SETTLED IN PART. Plaintiffs Counsel Jon Ali Atabek, Maronel Barajas, Ajay Sundar Krishnan, Anna Mercedes Rivera and Joseph Taylor Gooch present. Defendants Counsel Gary Charles Brickwood and Jerome Martin Varanini present. Court Reporter/CD Number: 1 of 1. (Callen, V) (Entered: 08/10/2017)

08/11/2017	<u>116</u>	MEMORANDUM of Understanding Regarding Settlement by the parties. (Gooch, Joseph) Modified on 8/15/2017 (Yin, K). (Entered: 08/11/2017)
09/15/2017	<u>117</u>	DESIGNATION of COUNSEL FOR SERVICE. Added attorney Mallory L. Sepler-King for Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, and Harold Robert Marquette (Rivera, Anna) (Entered: 09/15/2017)
09/19/2017	<u>118</u>	AMENDED <u>117</u> DESIGNATION of COUNSEL Added attorney Mallory Sepler-King by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Sepler-King, Mallory) (Entered: 09/19/2017)
11/28/2017	<u>119</u>	MOTION for PPRELIMINARY APPROVAL of CLASS ACTION SETTLEMENT by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children. Motion Hearing set for 2/22/2018 at 02:00 PM in Courtroom 7 (MCE) before District Judge Morrison C. England, Jr. (Attachments: # <u>1</u> Points and Authorities, # <u>2</u> Declaration of Taylor Gooch, # <u>3</u> Exhibit A, # <u>4</u> Proposed Order)(Ragland, Steven) Modified on 11/28/2017 (Plummer, M). (Entered: 11/28/2017)
11/29/2017	<u>120</u>	MINUTE ORDER (Text Only) issued by courtroom deputy for District Judge, Morrison C. England, Jr.: On the Court's own motion and pursuant to Local Rule 230(g), the February 22, 2018 hearing on the Motion for Preliminary Approval of Class Settlement <u>119</u> is vacated and submitted without appearance and argument. The opposition or statement of non-opposition, and reply due dates shall be filed in accordance with the original motion hearing date. If the Court determines that oral argument is needed it will be scheduled at a later date. Any outstanding request for telephonic appearance is denied as moot. (Deutsch, S) (Entered: 11/29/2017)
01/10/2018	<u>121</u>	STIPULATION and PROPOSED ORDER for Extending Case Deadlines by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Gooch, Joseph) (Entered: 01/10/2018)
01/17/2018	<u>122</u>	NOTICE of APPEARANCE by Franco E. Muzzio on behalf of Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. Attorney Muzzio, Franco E. added. (Muzzio, Franco) (Entered: 01/17/2018)
01/23/2018	<u>123</u>	ORDER signed by Magistrate Judge Allison Claire on 1/23/18 ORDERING the present discovery cut-off and deadlines for filing of dispositive motions contained in the May 25, 2017 order <u>110</u> are VACATED. Fact discovery shall be completed by July 31, 2018. Motions to compel must be heard no later than July 13, 2018. Initial expert disclosures shall be made on or before August 28, 2018, and rebuttal expert disclosures shall be made on or before September 17, 2018. All pretrial motions, except motions to compel discovery, shall be completed on or before October 29, 2018. The parties are ordered to file a Joint Notice of Trial Readiness no later than 30 days after receiving the courts ruling(s) on the last filed dispositive motion(s). If the parties do not intend to file dispositive motions, the parties are ordered to file a Joint Notice of Trial Readiness no later than 30 days after the close of discovery, and the notice must include statements of intent to forgo the filing of dispositive motions. After review of the parties Joint Notice of Trial Readiness, the court will issue an order that sets forth dates for a final pretrial conference and trial. (Plummer, M) Modified on 1/23/2018 (Plummer, M). (Entered: 01/23/2018)
02/21/2018	<u>124</u>	STIPULATION and PROPOSED ORDER for Extending Briefing Deadlines by Everett Jewett. (Gooch, Joseph) (Entered: 02/21/2018)
02/21/2018	<u>125</u>	MOTION for SANCTIONS Pursuant to FRCP, Rule 37 by Everett Jewett. Motion Hearing set for 3/28/2018 at 10:00 AM in Courtroom 26 (AC) before Magistrate Judge Allison Claire. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Declaration of Taylor Gooch, # <u>3</u> Exhibits 1 through 27, # <u>4</u> Proposed Order)(Ragland, Steven) (Entered: 02/21/2018)
02/27/2018	<u>126</u>	STIPULATION and ORDER signed by Magistrate Judge Allison Claire on 2/27/2018 EXTENDING the briefing deadlines. Plaintiff shall submit the Rule 37(e) motion on 2/21/2018; Defendant Shasta County shall submit its Opposition to Plaintiff's Rule 37(e) motion on 3/14/2018; Plaintiff shall submit his Reply to the Rule 37(e) motion

		on 3/21/2018; and, the noticed hearing on this matter will be heard on 3/28/2018.(Yin, K) (Entered: 02/27/2018)
03/06/2018	<u>127</u>	NOTICE of Errata regarding Memorandum of Points and Authorities in Support of Plaintiff Everett Jewett's Motion for Sanctions <u>125</u> by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Declaration of Taylor Gooch, # <u>3</u> Exhibit 28)(Gooch, Joseph) Modified on 3/7/2018 (Plummer, M). (Entered: 03/06/2018)
03/14/2018	<u>128</u>	OPPOSITION by Tom Bosenko, Shasta County to <u>125</u> Motion for Sanctions. (Attachments: # <u>1</u> Declaration Joe Danis, # <u>2</u> Exhibit A, B, C, D)(Brickwood, Gary) (Entered: 03/14/2018)
03/14/2018	<u>129</u>	DECLARATION of GARY BRICKWOOD regarding <u>128</u> OPPOSITION. (Attachments: # <u>1</u> Exhibit 1)(Brickwood, Gary) Modified on 3/15/2018 (Plummer, M). (Entered: 03/14/2018)
03/14/2018	<u>130</u>	EXHIBITS 2 and 3 by Tom Bosenko, Shasta County regarding <u>128</u> OPPOSITION. (Attachments: # <u>1</u> Exhibit 3)(Brickwood, Gary) Modified on 3/15/2018 (Plummer, M). (Entered: 03/14/2018)
03/14/2018	<u>131</u>	EXHIBITS 4 and 5 by Tom Bosenko, Shasta County regarding <u>128</u> OPPOSITION. (Attachments: # <u>1</u> Exhibit 5)(Brickwood, Gary) Modified on 3/15/2018 (Plummer, M). (Entered: 03/14/2018)
03/21/2018	<u>132</u>	ORDER signed by District Judge Morrison C. England, Jr on 3/20/2018 GRANTING the Preliminary Approval of Settlement; GRANTING Certification of Settlement Class; DIRECTING Notice to the Class; Fairness Hearing is SET for 6/28/2018 at 02:00 PM in Courtroom 7 (MCE) before District Judge Morrison C. England Jr. (Washington, S) (Entered: 03/21/2018)
03/21/2018	<u>133</u>	REPLY by Everett Jewett re <u>125</u> Motion for Sanctions. (Attachments: # <u>1</u> Declaration of Taylor Gooch, # <u>2</u> Exhibit 29, # <u>3</u> Exhibit 30, # <u>4</u> Exhibit 31)(Ragland, Steven) (Entered: 03/21/2018)
03/28/2018	<u>134</u>	MINUTES (Text Only) for proceedings before Magistrate Judge Allison Claire: MOTION HEARING held on 3/28/2018 re <u>125</u> Motion for Sanctions filed by Everett Jewett. Matter submitted the court will issue a written order. Plaintiffs Counsel Steven Ragland, Joseph Gooch and Franco Muzzio present. Defendants Counsel Gary Brickwood present. Court Reporter/CD Number: Jonathan Anderson. (Callen, V) (Entered: 03/28/2018)
04/11/2018	<u>135</u>	MOTION for ATTORNEY FEES and Expenses by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. Motion Hearing set for 6/28/2018 at 02:00 PM in Courtroom 7 (MCE) before District Judge Morrison C. England, Jr. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Proposed Order, # <u>3</u> Declaration of Steven P. Ragland, # <u>4</u> Ragland Exs. 1-19, # <u>5</u> Declaration of Maronel Barajas, # <u>6</u> Barajas Exs. A-Q, # <u>7</u> Declaration of Jon A. Atabek, # <u>8</u> Atabek Ex. A, # <u>9</u> Declaration of Richard M. Pearl, # <u>10</u> Pearl Exs. A-D, # <u>11</u> Declaration of Everett Jewett, # <u>12</u> Jewett Ex. A, # <u>13</u> Jewett Ex. B, # <u>14</u> Declaration of Rhonda Andrew, # <u>15</u> Declaration of Michael Borges, # <u>16</u> Declaration of Kelly Knapp, # <u>17</u> Declaration of Sidney Wolinsky)(Ragland, Steven) (Entered: 04/11/2018)
04/12/2018	<u>136</u>	CORRECTED NOTICE of MOTION regarding <u>135</u> Motion for Attorney Fees and Expenses by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. Motion Hearing set for 6/28/2018 at 02:00 PM in Courtroom 7 (MCE) before District Judge Morrison C. England, Jr. (Ragland, Steven) Modified on 4/13/2018 (Plummer, M). (Entered: 04/12/2018)
04/12/2018	<u>137</u>	MINUTE ORDER (Text Only) issued by courtroom deputy for District Judge, Morrison C. England, Jr.: Pursuant to Local Rule 302(c), the Motion for Attorney Fees and Expenses <u>135</u> is to be renoticed according to Local Rule 230(a) before the assigned Magistrate Judge. Accordingly, the June 28, 2018, hearing date is VACATED. (Deutsch, S) (Entered: 04/12/2018)

04/13/2018	<u>138</u>	RE-NOTICE of MOTION HEARING re <u>135</u> Motion for Attorney Fees. Motion Hearing RESET for 5/23/2018 at 10:00 AM in Courtroom 26 (AC) before Magistrate Judge Allison Claire. (Ragland, Steven) Modified on 4/16/2018 (Yin, K). (Entered: 04/13/2018)
04/18/2018	<u>139</u>	TRANSCRIPT REQUEST by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette for proceedings held on March 28, 2018 before Judge Hon. Magistrate Allison Claire. Court Reporter ECRO Jonathan Anderson. (Gooch, Joseph) (Entered: 04/18/2018)
04/20/2018	<u>140</u>	TRANSCRIPT of Proceedings Re: Plaintiff's Motion for Sanctions held on 3/28/18, before Magistrate Judge Allison Claire, filed by Court Reporter/Transcriber Kacy Barajas, Phone number 916-426-7640 E-mail kbarajas.csr@gmail.com. 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 5/11/2018. Redacted Transcript Deadline set for 5/21/2018. Release of Transcript Restriction set for 7/19/2018. (Barajas, K) (Entered: 04/20/2018)
05/01/2018	<u>141</u>	OPPOSITION by Tom Bosenko, Shasta County, Shasta County Jail, Shasta County Sheriff's Department to <u>135</u> Motion for Attorney Fees, <u>136</u> Corrected Motion for Attorney Fees. (Attachments: # <u>1</u> Declaration of Gary Brickwood, # <u>2</u> Exhibit 1 - 8, # <u>3</u> Exhibit 9 - 16)(Brickwood, Gary) (Entered: 05/01/2018)
05/01/2018	<u>142</u>	DECLARATION of O'Connor in opposition to <u>135</u> Motion for Attorney Fees, <u>136</u> Corrected Motion for Attorney Fees. (Attachments: # <u>1</u> Exhibit A-L)(Brickwood, Gary) (Entered: 05/01/2018)
05/01/2018	<u>143</u>	OPPOSITION by California Forensic Medical Group, Inc. to <u>136</u> Corrected Motion for Attorney Fees. (Varanini, Jerome) (Entered: 05/01/2018)
05/07/2018	<u>144</u>	NOTICE of Errata by Tom Bosenko, Shasta County, Shasta County Sheriff's Department re <u>141</u> Opposition to Motion. (Attachments: # <u>1</u> Exhibit A)(Brickwood, Gary) Modified on 5/8/2018 (Plummer, M). (Entered: 05/07/2018)
05/11/2018	<u>145</u>	REPLY by Michael Donald Ackley, et al., re <u>135</u> Motion for Attorney Fees, <u>136</u> Corrected Motion for Attorney Fees. (Attachments: # <u>1</u> Declaration of Steven P. Ragland, # <u>2</u> Exhibits A-D, # <u>3</u> Declaration of Richard M. Pearl, # <u>4</u> Exhibits A-B, # <u>5</u> Declaration of Kara Janssen, # <u>6</u> Declaration of Jon A. Atabek, # <u>7</u> Exhibits 1-6, # <u>8</u> Declaration of Maronel Barajas, # <u>9</u> Exhibit A, # <u>10</u> Declaration of Sidney M. Wolinsky)(Ragland, Steven) (Entered: 05/11/2018)
05/15/2018	<u>146</u>	DECLARATION of Anna Rivera. Attorney Rivera, Anna Mercedes added. (Rivera, Anna) (Entered: 05/15/2018)
05/16/2018	<u>147</u>	OBJECTIONS by Defendants Tom Bosenko, Shasta County, Shasta County Sheriff's Department to <u>145</u> Reply. (Brickwood, Gary) (Entered: 05/16/2018)
05/16/2018	<u>148</u>	REQUEST for Leave to File Surreply Re: Plaintiffs' Motion for Attorneys Fees by Tom Bosenko, Shasta County, Shasta County Sheriff's Department re <u>145</u> Reply filed by Michael Donald Ackley, Legal Services for Prisoners with Children, Harold Robert Marquette, Glen Harold Everett, Everett Jewett. (Brickwood, Gary) (Entered: 05/16/2018)
05/16/2018	<u>149</u>	REQUEST FOR TELEPHONIC APPEARANCE at the 5/23/2018 Attorneys' Fees hearing by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Attachments: # <u>1</u> Proposed Order)(Rivera, Anna) (Entered: 05/16/2018)
05/17/2018	<u>150</u>	OPPOSITION by Plaintiffs Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette to <u>148</u> Request,. (Ragland, Steven) (Entered: 05/17/2018)
05/21/2018	151	MINUTE ORDER: (Text Only) re <u>148</u> Request. Defendants' request for leave to file a surreply re: plaintiffs' motion for attorneys' fees (ECF No. 148) is DENIED. In addition, the court will take plaintiffs' motion for attorneys fees and related filings (ECF No. 135 et seq.) under submission on the papers. Therefore, the in-person

		hearing calendared for May 23, 2018, at 10:00 a.m. ECF No. <u>138</u> is VACATED, and defendants' request for telephonic appearance at the attorneys' fees hearing ECF No. <u>149</u> is DENIED as moot. (Callen, V) (Entered: 05/21/2018)
06/19/2018	<u>152</u>	REQUEST regarding order on class action fairness hearing by Tom Bosenko, Shasta County, Shasta County Jail, Shasta County Sheriff's Department. (Brickwood, Gary) Modified on 6/20/2018 (Plummer, M). (Entered: 06/19/2018)
06/20/2018	<u>153</u>	REQUEST FOR TELEPHONIC APPEARANCE at the 6/28/2018 Fairness hearing by Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Attachments: # <u>1</u> Proposed Order)(Rivera, Anna) (Entered: 06/20/2018)
06/26/2018	<u>154</u>	PROPOSED ORDER re Approving Class Action Settlement by Michael Donald Ackley, et al.,. (Attachments: # <u>1</u> Memorandum of Points & Authorities, # <u>2</u> Declaration Anna Rivera, # <u>3</u> Declaration Gary Brickwood, # <u>4</u> Declaration Jerome Varanini, # <u>5</u> Proposed Order Approving Class Action Settlement)(Rivera, Anna) (Entered: 06/26/2018)
06/27/2018	155	MINUTE ORDER (Text Only) issued by courtroom deputy for District Judge, Morrison C. England, Jr.: On the Court's own motion and pursuant to Local Rule 230(g), the June 28, 2018 hearing on the Fairness Hearing <u>132</u> and Motion for Attorney Fees [135–136] are vacated and submitted without appearance and argument. If the Court determines that oral argument is needed it will be scheduled at a later date. Any outstanding request for telephonic appearance is denied as moot. (Deutsch, S) (Entered: 06/27/2018)
07/09/2018	156	CLERK'S NOTICE of DOCKET CORRECTION as to ECF No. 155. The Motion for Attorney Fees remains submitted without oral argument before Magistrate Judge Claire (ECF No. 151). The Fairness Hearing is vacated and the matter is submitted by Judge England pursuant to ECF No. 155. (Deutsch, S) (Entered: 07/09/2018)
07/11/2018	<u>157</u>	MOTION (Ex Parte Request) for Settlement Conference before Magistrate Judge Newman by Defendants. (Attachments: # <u>1</u> Proposed Order)(Brickwood, Gary) Modified on 7/12/2018 (Yin, K). (Entered: 07/11/2018)
07/19/2018	<u>158</u>	ORDER signed by District Judge Morrison C. England, Jr on 7/17/18 GRANTING <u>157</u> Motion to conduct settlement conference. (Kaminski, H) (Entered: 07/19/2018)
07/24/2018	159	MINUTE ORDER issued by Courtroom Deputy A. Waldrop for Magistrate Judge Kendall J. Newman on 7/24/2018: Pursuant to the Court's Order (ECF No. <u>158</u>) and parties' communication with the court, this matter is set for Settlement Conference on 12/5/2018 at 09:00 AM in Courtroom 25 (KJN) before Magistrate Judge Kendall J. Newman. The parties are instructed to have a principal with full settlement authority present for the settlement conference or to be fully authorized to settle the matter on any terms. The individual with full settlement authority to settle must also have unfettered discretion and authority to change the settlement position of the party, if appropriate. The purpose behind requiring attendance of a person with full settlement authority is that the parties view of the case may be altered during the face to face conference. An authorization to settle for a limited dollar amount or sum certain can be found not to comply with the requirement of full authority to settle. The parties are directed to exchange non-confidential settlement conference statements seven days prior to the settlement conference. These statements shall be simultaneously delivered to the Court using the following email address: kjnorders@caed.uscourts.gov. These statements should not be filed on the case docket. If a party desires to share additional confidential information with the Court, they may do so pursuant to the provisions of Local Rule 270(d) and (e). (TEXT ONLY ENTRY) (Waldrop, A) (Entered: 07/24/2018)
07/25/2018	160	MINUTE ORDER issued by Courtroom Deputy A. Waldrop for Magistrate Judge Kendall J. Newman on 7/25/2018: In light of the 12/5/2018 settlement conference, plaintiffs' counsel is to notify the court within 14 days if any of the plaintiffs are incarcerated, if the plaintiffs wish to attend the settlement conference, and if the incarcerated plaintiff(s) wish to appear in person or by video. (TEXT ONLY ENTRY) (Waldrop, A) (Entered: 07/25/2018)

08/07/2018	<u>161</u>	ORDER APPROVING CLASS ACTION SETTLEMENT signed by District Judge Morrison C. England, Jr. on 8/6/2018. (Zignago, K.) (Entered: 08/07/2018)
08/08/2018	<u>162</u>	STIPULATION and PROPOSED ORDER for Joint Stipulation and [Proposed] Order Extending Case Deadlines by Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. (Gooch, Joseph) (Entered: 08/08/2018)
08/21/2018	<u>163</u>	NOTICE of Plaintiff Everett Jewett's Telephonic Appearance at Settlement Conference by Everett Jewett re 159 Minute Order. (Gooch, Joseph) Modified on 8/22/2018 (Plummer, M). (Entered: 08/21/2018)
08/23/2018	<u>164</u>	ORDER signed by Magistrate Judge Allison Claire on 8/23/2018 VACATING the present discovery cut-off and dispositive motion deadline in <u>123</u> Order; ORDERING the depositions of Sgt. Joseph Danis and Captain Janet Breshears to be taken at mutually agreed upon date and time, notwithstanding the close of fact discovery on 7/31/2018; and SETTING a case management conference in from of Magistrate Judge Allison Claire at 10:00 a.m. on 12/19/2018. (Henshaw, R) (Entered: 08/23/2018)
08/23/2018	<u>165</u>	ORDER and WRIT of HABEAS CORPUS AD TESTIFICANDUM ISSUED signed by Magistrate Judge Allison Claire on 8/23/2018 ORDERING the Custodian to produce Everett Jewett via telephonic conferencing at 9:00 a.m. on 12/5/2018 before the Honorable Kendall J. Newman at the California Medical Facility. Custodian is ordered to notify the Court of any changes in custody and to provide new custodian with a copy of this writ. Clerk shall serve a copy of this order and writ on the Custodian. The court will contact CMF with the call-in number and instructions. (cc: KJN) 3 Certified copies served on The Warden, California Medical Facility, P.O. Box 2000, Vacaville, CA 95696-2237. (Henshaw, R) (Entered: 08/23/2018)
11/28/2018	<u>166</u>	NOTICE of Lodging of Plaintiffs' Confidential Settlement Conference Statement by All Plaintiffs. (Muzzio, Franco) (Entered: 11/28/2018)
12/05/2018	167	MINUTES (Text Only) for proceedings before Magistrate Judge Kendall J. Newman: SETTLEMENT CONFERENCE as to plaintiff, Everett Jewett held on 12/5/2018. Counsel for parties present. Plaintiff present and appearing by telephone. Shasta County counsel, Jim Ross and Randy Lingenfelter present. CFMG Carrier, David Rettig and CFMG Representative, Rachel Eckhart also present. After discussions with the Court, parties reached a verbal settlement. Terms of the settlement stated on the record by the Court. All pending dates are vacated. Dispositional documents to be filed within 45 days. Plaintiffs Counsel Steven Ragland, Anna Rivera, Joseph Gooch, Maronel Barajas, and Franco Muzzio present. Defendants Counsel Jerome Varanini and Gary Brickwood present. Court Reporter: ECRO. (Waldrop, A) (Entered: 12/05/2018)
12/05/2018	168	MINUTES (Text Only) for proceedings before Magistrate Judge Kendall J. Newman: SETTLEMENT CONFERENCE as to the pending Motion for Attorney's Fees in Class Action held on 12/5/2018. Counsel for parties present. Shasta County Counsel, Jim Ross present. After discussions with the Court, parties reached a verbal settlement as to the Motion for Attorney's Fees (ECF No. <u>135</u>) subject to the approval of the Board of Supervisors. Terms of the settlement stated on the record by the Court. All pending dates are VACATED. Parties are to file within 30 days Stipulation for Court Approval of Attorney's Fees and to withdraw pending Motion for Attorney Fees for Judge England's review. Defense counsel is to email plaintiffs' counsel and Judge Newman's chambers by 4:00 PM, Tuesday 12/11/2018, notifying the Settlement Conference Judge and plaintiff's counsel regarding settlement. Plaintiffs Counsel Steven Ragland, Anna Rivera, Joseph Gooch, Maronel Barajas, and Franco Muzzio present. Defendants Counsel Gary Brickwood present. Court Reporter: ECRO. (Waldrop, A) (Entered: 12/05/2018)
12/12/2018	<u>169</u>	STIPULATION and PROPOSED ORDER for An Award of Reasonable Attorneys' Fees, Expenses, and Costs. (Attachments: # <u>1</u> Proposed Order)(Rivera, Anna) (Entered: 12/12/2018)
01/02/2019	<u>170</u>	ORDER signed by District Judge Morrison C. England, Jr., on 12/29/18 APPROVING the parties' settlement regarding attorneys' fees and expenses, finding that an award of \$850,000.00 is to be paid by 1/31/2019 to plaintiffs' counsel. (Kastilahn, A) (Entered: 01/02/2019)

01/17/2019	<u>171</u>	STIPULATION and PROPOSED ORDER of DISMISSAL by Tom Bosenko, Shasta County, Shasta County Jail, Shasta County Sheriff's Department. (Attachments: # <u>1</u> Proposed Order)(Brickwood, Gary) (Entered: 01/17/2019)
01/23/2019	<u>172</u>	ORDER of DISMISSAL signed by District Judge Morrison C. England, Jr on 1/22/2019. CASE CLOSED (Washington, S) (Entered: 01/23/2019)
02/11/2019	<u>173</u>	NOTICE of CHANGE of ADDRESS by Anna Mercedes Rivera. (Rivera, Anna) (Entered: 02/11/2019)
08/30/2019	<u>174</u>	DESIGNATION of COUNSEL FOR SERVICE: Attorney Mallory L. Sepler-King terminated. (Rivera, Anna) (Entered: 08/30/2019)
10/10/2019	<u>175</u>	DESIGNATION of COUNSEL FOR SERVICE. Added attorney Amethyst Thormann for Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, and Harold Robert Marquette. Attorney Maronel Barajas and Anna Mercedes Rivera terminated (Thormann, Amethyst) (Entered: 10/10/2019)
10/10/2019	<u>176</u>	NOTICE of Withdrawal of Joseph Taylor Gooch by All Plaintiffs. (Muzzio, Franco) Modified on 10/11/2019 (Plummer, M). (Entered: 10/10/2019)
10/15/2019	<u>177</u>	NOTICE of APPEARANCE by Zachary J. Genduso on behalf of Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. Attorney Genduso, Zachary J. added. (Genduso, Zachary) (Entered: 10/15/2019)
10/15/2019	<u>178</u>	NOTICE of APPEARANCE by Anthony C. Pinggera on behalf of Michael Donald Ackley, Glen Harold Everett, Everett Jewett, Legal Services for Prisoners with Children, Harold Robert Marquette. Attorney Pinggera, Anthony C. added. (Pinggera, Anthony) (Entered: 10/15/2019)