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7 Attorneys for Plaintiffs
Riana Buffin and Crystal Patterson

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

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13 RIANA BUFFIN and CRYSTAL
PATTERSON, on behalf of themselves and
14 others similarly situated,

15 Plaintiffs,

16 v.

17 VICKI HENNESSY in her official capacity
as the San Francisco Sheriff, *et al.*,

18 Defendants.
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CASE NO. 4:15-cv-04959-YGR

**NOTICE OF STIPULATED FINAL
JUDGMENT REMEDYING
CONSTITUTIONAL VIOLATION**

1 Plaintiffs and Defendant the San Francisco Sheriff are pleased to inform the Court that,
2 with the assistance of Chief Magistrate Judge Spero, they have reached agreement as to the
3 appropriate remedy to be imposed in this case, with two exceptions. The Stipulated Final
4 Judgment Remediating Constitutional Violation is attached as **Exhibit A**.

5 First, the parties have agreed to modify the procedures for seeking alterations on release,
6 as currently reflected in California Penal Code § 1269c, in two ways: (1) pursuant to Section IV.A
7 of Exhibit A, for arrestees charged with an offense not enumerated in California Penal Code
8 § 1270.1, a peace officer may file a declaration to extend the 18-hour automatic release deadline
9 by 12 hours if there is reasonable cause to believe that an arrestee may not appear at arraignment,
10 or poses a threat to public safety; and (2) pursuant to Section IV.B of Exhibit A, for arrestees
11 charged with offenses not enumerated in California Penal Code § 1270.1(a), the arrestee or their
12 attorney, friend or family member shall have the right to submit an application under § 1269c to
13 the magistrate or commissioner seeking a swifter judicial determination and release than the
14 automatic 18-hour release provision. Plaintiffs also seek to modify these procedures a third way
15 (Section IV.C), which is to provide all arrestees charged with offenses enumerated in California
16 Penal Code § 1270.1(a) the right to submit an application (by the arrestee or their attorney, friend
17 or family member) under § 1269c to the magistrate or commissioner seeking OR release prior to
18 arraignment. The Sheriff does not stipulate to this provision and takes no position on whether the
19 Court should adopt it. The parties agree that the Court's decision on this issue shall not impact
20 any other provision of the stipulated final judgment.

21 Second, per Section VI of Exhibit A, the parties have not reached agreement as to
22 attorneys' fees and costs, and expect to submit briefs on the matter to the Court following the entry
23 of final judgment if an agreement as to fees and costs cannot ultimately be reached.

24 We respectfully request that the Court enter final judgment at its earliest convenience, so
25 that the relevant time periods for implementation can begin. We would of course be pleased to
26 address any questions the Court may have.

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Dated: August 30, 2019

Respectfully submitted,
LATHAM & WATKINS LLP
Robert E. Sims
Sadik Huseny
Tyler P. Young

By: /s/ Sadik Huseny
Sadik Huseny

*Attorneys for Plaintiffs
Riana Buffin and Crystal Patterson*

Dated: August 30, 2019

Respectfully submitted,
DENNIS J. HERRERA
City Attorney

By: /s/ Jeremy M. Goldman
Jeremy M. Goldman

*Attorneys for Defendant
Sheriff Vicki Hennessy*

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SIGNATURE ATTESTATION

I, Sadik Huseny, am the ECF user whose ID and password are being used to file this Notice of Stipulated Final Judgment Remediating Constitutional Violation. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from each of the other Signatories.

Dated: August 30, 2019

/s/ Sadik Huseny
Sadik Huseny