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11 Attorneys for Defendant COUNTY OF RIVERSIDE

12
13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 QUINTON GRAY, et al., on behalf of
16 themselves and all others similarly
situated,

17 Plaintiffs,

18 v.

19 COUNTY OF RIVERSIDE,
20 Defendant.

CASE NO. EDCV13-0444 VAP (OP)

CLASS ACTION

JOINT STATUS REPORT RE
ONGOING DISCUSSIONS BETWEEN
COUNSEL

JUDGE: Hon. Virginia Phillips

DATE: TBD

TIME: TBD

COURTROOM: 8A

LOCATION: 350 W. First Street, Los
Angeles, CA 90012

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24 **TO THE HONORABLE COURT:**

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26 Counsel for PLAINTIFFS, QUINTON GRAY, et al., on behalf of themselves and all
27 others similarly situated, and counsel for DEFENDANT, COUNTY OF RIVERSIDE
28

1 hereby offer the following further Joint Status Report concerning ongoing discussions
2 between counsel:

3 1. As the Court is aware, on April 6, 2020, Plaintiff Quinton Gray (“Plaintiff”)
4 filed a document captioned “Emergency Motion to Enforce Consent Decree.” (“Motion,”
5 Dkt. 177). Defendant County of Riverside (“Defendant”) opposed the Motion on April 10,
6 2020 (“Opp.,” Dkt. 183).
7

8 2. Following the April 13, 2020 hearing on this matter, the Parties engaged in a
9 telephonic mediation before Judge Ramirez on April 17, 2020.
10

11 3. Throughout the mediation, Defendant provided information which satisfied a
12 significant number of the issues posed by Plaintiffs. Additional information was provided
13 via email to counsel for Plaintiffs, including:
14

15 a. A written plan detailing the steps that Behavioral Health has taken and will take
16 to provide stimulation for inmates, both those in quarantine/isolation and those
17 not. This document was provided to counsel for Plaintiffs on Tuesday, April
18 21, 2020, with revised versions incorporating suggestions by Plaintiffs and the
19 mental health expert provided on April 30 and May 4, 2020;
20

21 b. Further details concerning the inmate population, including identification by
22 Correctional Health Services of the number of those inmates who may be at a
23 higher risk of severe illness from COVID-19 due to factors such as age and
24 underlying health condition. This document was provided to counsel for
25
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1 Plaintiffs on Wednesday, April 22, 2020, with additional information provided
2 subsequently in response to Plaintiffs' requests;

- 3
4 c. A written plan detailing the Sheriff's Department's efforts and commitments to
5 combat the spread of COVID-19 in the jails, including changes in housing,
6 sanitation practices, and personal hygiene. This document was provided to
7 counsel for Plaintiffs on Tuesday, April 21, 2020.

8
9 4. Pursuant to an agreement between the Parties, Defendant has provided, and will
10 continue to provide for the length of time that the State of Emergency declared by Governor
11 Newsom on March 4, 2020 exists in California, the following information to counsel for
12 Plaintiffs every Monday, Wednesday, and Friday:

- 13
14 a. the number of COVID-19 tests performed on the incarcerated population;
15
16 b. the number of confirmed cases among people living in the jails (including
17 names, booking numbers, and locations) and the number of confirmed cases
18 among jail staff to the extent that information is known and available;
19
20 c. the number of people living in the jails who are on quarantine or medical
21 isolation and their location;
22
23 d. the number of people living in the jails who have been sent to the hospital with
24 COVID-19 complications; and
25
26 e. the number of deaths among people living in the jails, and among staff to the
27 extent that information is known and available.
28

1 5. All such information referenced in Paragraph 4 above has been and will
2 continue to be provided to Plaintiffs' counsel pursuant to the Stipulated Protective Order in
3 this matter, signed by the Court on October 21, 2013 (Docket No. 19).

4
5 6. On April 29, 2020, Plaintiffs provided a response to the documents produced
6 to date and on May 1, 2020, the Parties conducted a telephonic discussion. Resolution was
7 reached on nearly all outstanding issues. The Parties have scheduled a follow-up
8 conversation, to be held on May 8, 2020, in order to discuss the level of COVID-19 testing
9 of those in custody and any additional remaining issues. The parties also agreed on a process
10 for Plaintiffs to monitor Defendant's implementation of the Plan, including weekly written
11 exchanges as well as telephone calls between Plaintiffs' counsel and Plaintiff class members
12 in the jails.
13

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15 7. Defendant is also in the process of compiling and providing to Plaintiffs'
16 counsel a complete written plan for care of those in custody, inclusive of all information and
17 documentation previously provided to counsel and/or the Court appointed experts
18 (hereinafter the "Plan"), as modified through negotiation between the Parties. The Plan will
19 be provided to both counsel for Plaintiffs and the Court appointed experts no later than May
20 13, 2020.
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23 8. Communication between the Parties is ongoing and it is anticipated that
24 agreement will be reached on all outstanding issues. If necessary, however, counsel agree
25 to return to Judge Ramirez on an expedited basis for further mediation assistance.
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PROOF OF SERVICE

United States District Court Case No. 5:13-cv-00444-VAP-OP

I, the undersigned, say that I am a citizen of the United States and am employed in the county of Riverside, over the age of 18 years and not a party to the within action or proceeding; that my business address is: 3960 Orange Street, Suite 500, Riverside, CA 92501-3611.

On May 8, 2020, a true and correct copy of the foregoing document entitled:

JOINT STATUS REPORT RE MEDIATION EFFORTS AND ONGOING DISCUSSIONS BETWEEN COUNSEL

was served on all parties pursuant to FRCivP 5(b) as follows:

<p>Donald Specter Prison Law Office 1917 Fifth Street Berkeley, CA 94710 510-280-2621 Fax: 510-280-2704 Email: dspecter@prisonlaw.com</p>	<p>Arthur Kenneth Cunningham Lewis Brisbois Bisgaard and Smith LLP Tri-City Corp Center 650 East Hospitality Lane Suite 600 San Bernardino, CA 92408-3508 909-387-1130 Fax: 909-387-1138 Email: akcatty@lbbslaw.com</p>
<p>Sara Linda Norman Prison Law Office 1917 Fifth Street Berkeley, CA 94710 510-280-2621 Fax: 510-280-2704 Email: snorman@prisonlaw.com</p>	<p>Christopher D Lockwood Arias and Lockwood 1881 South Business Center Drive Suite 9A San Bernardino, CA 92408 909-890-0125 Fax: 909-890-0185 Email: christopher.Lockwood@ariaslockwood.com</p>
<p>Shawn Everett Hanson Akin Gump Strauss Hauer and Feld LLP 580 California Street 15th Floor San Francisco, CA 94104-1036 415-765-9500 Fax: 415-765-9501 Email: shanson@akingump.com</p>	<p>Stephanie Joy M Tanada Lewis Brisbois Bisgaard and Smith LLP Tri-City Corp Center 650 Hospitality Lane Suite 600 San Bernardino, CA 92408-3508 909-387-1130 Fax: 909-387-1138 Email: tanada@lbbslaw.com</p>
<p>Danielle C Ginty Akin Gump Strauss Hauer & Feld LLP 580 California Street Suite 1500 San Francisco, CA 94104 415-765-9500 Fax: 415-765-9501 Email: dginty@akingump.com</p>	

1 TO BE SERVED BY THE COURT VIA THE NOTICE OF ELECTRONIC FILING
2 (NEF). Pursuant to L.R. 5-3.2.3, the foregoing document will be served by the
3 court via NEF and hyperlink to the document. I checked the CM/ECF docket for this
4 case or adversary proceeding and determined that the following persons are on the
5 Electronic Mail Notice List to receive NEF transmission at the addresses stated.

6 I declare under penalty of perjury under the laws of the United States of America,
7 State of California that the foregoing is true and correct.

8 Executed on May 8, 2020, at Riverside, California.

9 */s/ Michelle Quiroz*

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11 Michelle Quiroz
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