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11 Attorneys for Defendant COUNTY OF RIVERSIDE

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13 UNITED STATES DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA

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

18 Plaintiffs,

19 v.

20 COUNTY OF RIVERSIDE,  
21 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. The Parties engaged in a telephonic mediation before Judge Ramirez on April  
9 17, 2020, during which Defendant provided information which satisfied a significant  
10 number of the issues posed by Plaintiffs. Additional information was provided via email to  
11 counsel for Plaintiffs in late April and early May.  
12

13 3. The Parties initially agreed that Defendant would provide certain information  
14 to counsel for Plaintiffs every Monday, Wednesday, and Friday for the length of time that  
15 the State of Emergency declared by Governor Newsom on March 4, 2020 exists in  
16 California. However, on May 8, 2020, the Parties conducted a follow-up telephonic  
17 discussion during which the disclosure of information was graciously reduced by counsel  
18 for Plaintiffs in order to alleviate burdens upon staff and to increase the efficiency of the  
19 data production process. Accordingly, Defendant will now produce the following  
20 information to counsel for Plaintiffs every Friday for the length of time that the State of  
21 Emergency declared by Governor Newsom on March 4, 2020 exists in California:  
22

- 23 a. the number of COVID-19 tests performed on the incarcerated population;  
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- b. the number of confirmed cases among people living in the jails (including names, booking numbers, and locations) and the number of confirmed cases among jail staff to the extent that information is known and available;
- c. the number of people living in the jails who are on quarantine or medical isolation and their location;
- d. the number of people living in the jails who have been sent to the hospital with COVID-19 complications;
- e. the number of deaths among people living in the jails, and among staff to the extent that information is known and available; and
- f. the capacity and current population of each of the five jails (as well as the Benoit jail on its opening) and the Detention Care Unit at the county hospital.

4. The Parties further agreed upon a process for obtaining information should counsel for Plaintiffs have follow-up questions about particular class members in the jail or data provided by Defendant each week, including weekly written exchanges as well as telephone calls between Plaintiffs' counsel and Plaintiff class members in the jails.

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

6. Through the disclosure of written information and the telephonic discussions on May 1, 2020 and May 8, 2020, resolution was reached on nearly all outstanding issues. The Parties anticipate conducting follow-up discussions as necessary in order to discuss the

1 level of COVID-19 testing of those in custody and any additional remaining issues. In  
2 particular, court expert Dr. Scott Allen and Dr. Michael Mesisca of the County of Riverside  
3 are continuing to confer about the scope and process for testing.  
4

5 7. Defendant is in the process of compiling and providing to Plaintiffs’ counsel a  
6 complete written plan for care of those in custody, inclusive of all information and  
7 documentation previously provided to counsel and/or the Court appointed experts  
8 (hereinafter the “Plan”), as modified through negotiation between the Parties. The Plan will  
9 include the Parties’ agreement on testing and any additional remaining issues once achieved.  
10 The draft Plan will be provided to counsel for Plaintiffs and the Court appointed experts by  
11 May 20.  
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14 8. Communication between the Parties is ongoing and it is anticipated that  
15 agreement will be reached on all outstanding issues. If necessary, however, counsel have  
16 agreed to return to Judge Ramirez on an expedited basis for further mediation assistance.  
17

18 9. A further status report will be filed with the Court by May 22, 2020 to update  
19 the Court on the ongoing discussions and the status of Defendant’s Plan.  
20  
21

22 Dated: May 15, 2020 By: /s/ Sara Norman  
23 SARA NORMAN  
24 THE PRISON LAW OFFICE  
25 Attorneys for Plaintiffs,  
26 QUINTON GRAY et al.

27 Dated: May 15, 2020 By: /s/ Art Cunningham  
28 ARTHUR K. CUNNINGHAM  
LEWIS BRISBOIS BISGAARD & SMITH LLP

Attorneys for Defendant,  
COUNTY OF RIVERSIDE

1 Pursuant to Local Rule 5-4.3.4(a)(2)(i), I, ARTHUR K. CUNNINGHAM, attest that  
2 all signatories listed, and on whose behalf the filing is submitted, concur in the filing's  
3 content and have authorized the filing.  
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*/s/ Art Cunningham*

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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 15, 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 &amp; 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 15, 2020, at Riverside, California.

9 */s/ Michelle Quiroz*

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11 Michelle Quiroz  
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