

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:05-cv-02324-JCS**

Moyle et al v. Contra Costa County et al  
Assigned to: Magistrate Judge Joseph C. Spero  
Cause: 42:1983 Civil Rights Act

Date Filed: 06/08/2005  
Date Terminated: 03/19/2010  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Russell Moyle**  
*a minor, by and through his Guardian Ad  
Litem, his custodial parent, RHONDA  
BOWERS and on behalf of themselves  
and all those similarly situated  
TERMINATED: 06/29/2007*

represented by **Andrew Charles Schwartz**  
Casper Meadows Schwartz & Cook  
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**ATTORNEY TO BE NOTICED**

**Jeffrey I. Schwarzschild**  
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**TERMINATED: 11/15/2006**  
**ATTORNEY TO BE NOTICED**

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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Rhonda Bowers**  
*and on behalf of herself and all those  
similarly situated*

represented by **Andrew Charles Schwartz**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Jeffrey I. Schwarzschild**  
(See above for address)  
**TERMINATED: 11/15/2006**

*ATTORNEY TO BE NOTICED*

**Mark E. Merin , Esq.**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas Andrew Seaton**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Katherine Ermitano**  
*By and through her guardian ad litem,  
Marlon Ermitano*

represented by **Andrew Charles Schwartz**  
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*LEAD ATTORNEY*  
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**Mark E. Merin , Esq.**  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Contra Costa County**

represented by **Debra S. Belaga**  
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*ATTORNEY TO BE NOTICED*

**Monika L. Cooper**

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*ATTORNEY TO BE NOTICED*

**Defendant**

**Contra Costa County Probation  
Department**

represented by **Debra S. Belaga**  
(See above for address)  
*TERMINATED: 10/15/2009*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James V. Fitzgerald , III**

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*LEAD ATTORNEY*  
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**Peter Obstler**

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*LEAD ATTORNEY*  
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**John Thomas Yow**

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**Mark E. Merin , Esq.**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Monika L. Cooper**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

represented by

**Lionel Chatman**  
*Contra Costa County Chief Probation  
Officer*

**Debra S. Belaga**  
(See above for address)  
*TERMINATED: 10/15/2009*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James V. Fitzgerald , III**  
(See above for address)  
*LEAD ATTORNEY*  
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**Peter Obstler**  
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*LEAD ATTORNEY*  
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**John Thomas Yow**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Mark E. Merin , Esq.**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jim Matheron**  
*Contra Costa County Chief Deputy  
Probation Officer for Juvenile Hall*

represented by **Debra S. Belaga**  
(See above for address)  
*TERMINATED: 10/15/2009*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James V. Fitzgerald , III**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Peter Obstler**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**John Thomas Yow**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Mark E. Merin , Esq.**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Nancy Miller**

represented by **James V. Fitzgerald , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Peter Obstler**  
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**John Thomas Yow**  
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**Mark E. Merin , Esq.**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/08/2005	<u>1</u>	CLASS ACTION COMPLAINT; Demand for Jury Trial against Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Jim Matheron (Filing fee \$ 250.00, receipt number 3373075.). Filed by Russell Moyle, Rhonda Bowers. (gba, COURT STAFF) (Filed on 6/8/2005) Additional attachment(s) added on 6/10/2005 (gba, COURT STAFF). (Entered: 06/09/2005)
06/08/2005	<u>2</u>	ADR SCHEDULING ORDER: Case Management Statement due by 9/30/2005. Case Management Conference set for 10/7/2005 01:30 PM. (Attachments: # <u>1</u> Standing Order CMC# <u>2</u> Standing Order #2)(gba, COURT STAFF) (Filed on 6/8/2005) (Entered: 06/09/2005)
06/08/2005		Received Petition and Order for Appointment of Guardian Ad Litem by Russell Moyle, Rhonda Bowers. (gba, COURT STAFF) (Filed on 6/8/2005) (Entered: 06/09/2005)
06/08/2005		Summons Issued as to Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Jim Matheron. (gba, COURT STAFF) (Filed on 6/8/2005) (Entered: 06/09/2005)
06/08/2005		CASE DESIGNATED for Electronic Filing. (gba, COURT STAFF) (Filed on 6/8/2005) (Entered: 06/09/2005)
06/14/2005	<u>3</u>	CLERK'S NOTICE TO PLAINTIFFS RE: Consent to Proceed before a U.S. Magistrate Judge. Form due by JUNE 28, 2005. (klh, COURT STAFF) (Filed on 6/14/2005) (Entered: 06/14/2005)
06/16/2005	<u>4</u>	CONSENT to Proceed Before a US Magistrate Judge by Russell Moyle.. (Schwartz, Andrew) (Filed on 6/16/2005) (Entered: 06/16/2005)
07/25/2005	<u>5</u>	SUMMONS Returned Executed by Russell Moyle. Contra Costa County served on 7/11/2005, answer due 8/1/2005; Contra Costa County Probation Department served on 7/11/2005, answer due 8/1/2005; Lionel Chatman served on 7/11/2005, answer due 8/1/2005; Jim Matheron served on 7/15/2005, answer due 8/4/2005. (Schwartz, Andrew) (Filed on 7/25/2005) (Entered: 07/25/2005)
08/12/2005	<u>6</u>	CONSENT to Proceed Before a US Magistrate Judge by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Jim Matheron.. (Fitzgerald, James) (Filed on 8/12/2005) (Entered: 08/12/2005)
08/16/2005	<u>7</u>	ORDER GRANTIING PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM. Signed by Judge Joseph C. Spero on 8/15/5. (klh, COURT STAFF) (Filed on 8/16/2005) (Entered: 08/16/2005)
09/16/2005	<u>8</u>	AMENDED COMPLAINT <i>Class Action</i> against all defendants. Filed by Russell Moyle. (Schwartz, Andrew) (Filed on 9/16/2005) (Entered: 09/16/2005)
09/23/2005	<u>9</u>	STIPULATION <i>Request to Reset Case Management Conference; Proposed Order</i> by Russell Moyle. (Schwartz, Andrew) (Filed on 9/23/2005) (Entered: 09/23/2005)
09/26/2005	<u>10</u>	STIPULATION AND ORDER TO CONTINUE INITIAL CASE MANAGEMENT CONFERENCE. Initial Case Management Conference continued to 12/9/2005 at 1:30 PM. Joint case management conference statement due by 12/2/5. Signed by Judge Joseph C. Spero on 9/26/2005. (klh, COURT STAFF) (Filed on 9/26/2005) (Entered: 09/26/2005)
11/29/2005	<u>11</u>	ANSWER to Amended Complaint by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Jim Matheron. (Fitzgerald, James) (Filed on 11/29/2005) (Entered: 11/29/2005)
12/01/2005	<u>12</u>	JOINT CASE MANAGEMENT STATEMENT ; [ <i>Proposed</i> ] Order filed by Russell Moyle, Rhonda Bowers. (Merin, Mark) (Filed on 12/1/2005) (Entered: 12/01/2005)

12/12/2005	<u>13</u>	Minute Entry: Initial Case Management Conference held on 12/9/2005 before Joseph C. Spero. Initial disclosures shall be due by 12/16/5. Phase 1 discovery shall occur within 150 days. A further case management conference is set for 3/10/6 at 1:30 p.m. Court to prepare Order. (Tape #Not Recorded.) (klh, COURT STAFF) (Date Filed: 12/12/2005) (Entered: 12/12/2005)
12/13/2005	<u>14</u>	CASE MANAGEMENT AND PRETRIAL ORDER: Initial disclosures shall be due by 12/16/05. Updated Joint Case Management Statement due by 3/3/2006. Further Case Management Conference set for 3/10/2006 at 1:30 PM. Phase I Discovery to be completed by 5/12/2006. Signed by Judge Joseph C. Spero on 12/13/2005. (klh, COURT STAFF) (Filed on 12/13/2005) (Entered: 12/13/2005)
03/03/2006	<u>15</u>	JOINT CASE MANAGEMENT STATEMENT ( <i>Updated</i> ) filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Jim Matheron, Russell Moyle, Rhonda Bowers. (Merin, Mark) (Filed on 3/3/2006) (Entered: 03/03/2006)
03/10/2006	<u>16</u>	Minute Entry: Further Case Management Conference held on 3/10/2006 before Joseph C. Spero. Court to prepare Order. (Tape #Not Recorded.) (klh, COURT STAFF) (Date Filed: 3/10/2006) (Entered: 03/10/2006)
03/15/2006	<u>17</u>	FURTHER CASE MANAGEMENT AND PRETRIAL ORDER: Updated Joint Case Management Statement due by 7/28/2006. Further Case Management Conference set for 8/4/2006 at 1:30 PM. Signed by Judge Joseph C. Spero on 03/15/06. (klh, COURT STAFF) (Filed on 3/15/2006) (Entered: 03/15/2006)
07/26/2006	<u>18</u>	JOINT CASE MANAGEMENT STATEMENT [ <i>Updated</i> ] filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Jim Matheron, Russell Moyle, Rhonda Bowers. (Merin, Mark) (Filed on 7/26/2006) (Entered: 07/26/2006)
08/04/2006	<u>19</u>	Minute Entry: Further Case Management Conference held on 8/4/2006 before Joseph C. Spero. Parties shall submit a joint letter to the Court with the name of the mediator and mediation date by 8/11/6. An updated joint case management conference statement shall be due by 11/9/6. A further case management conference is set for 11/17/6 at 1:30 PM. Court to prepare Order. (Tape #Not Recorded.) (klh, COURT STAFF) (Date Filed: 8/4/2006) (Entered: 08/04/2006)
08/08/2006	<u>20</u>	FURTHER CASE MANAGEMENT AND PRETRIAL ORDER: Private Mediation shall occur no later than 11/1/6. Parties shall submit a joint letter to the Court with the name of the mediator, and mediation date by 8/11/6. Updated Joint Case Management Statement due by 11/9/2006. Further Case Management Conference set for 11/17/2006 at 1:30 PM. Plaintiff shall file their Motion for Class Certification by 12/15/2006. Signed by Judge Joseph C. Spero on 8/8/6. (klh, COURT STAFF) (Filed on 8/8/2006) (Entered: 08/08/2006)
08/10/2006	<u>21</u>	Letter from Andrew Schwartz. (Schwartz, Andrew) (Filed on 8/10/2006) (Entered: 08/10/2006)
10/31/2006	<u>22</u>	Letter from James V. Fitzgerald, III. (Fitzgerald, James) (Filed on 10/31/2006) (Entered: 10/31/2006)
11/13/2006	<u>23</u>	JOINT CASE MANAGEMENT STATEMENT filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman. (Fitzgerald, James) (Filed on 11/13/2006) (Entered: 11/13/2006)
11/14/2006	<u>24</u>	ORDER GRANTING <u>23</u> Updated Joint Case Management Statement filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman. The further case management conference, set for 11/17/6 at 1:30 PM, has been continued to 3/2/7 at 1:30 PM. Signed by Judge Joseph C. Spero on 11/14/06. (klh, COURT STAFF) (Filed on 11/14/2006) (Entered: 11/14/2006)
11/14/2006		Set/Reset Hearings: Further Case Management Conference continued to 3/2/2007 at 1:30 PM. (klh, COURT STAFF) (Filed on 11/14/2006) (Entered: 11/14/2006)
11/15/2006	<u>25</u>	NOTICE of Change In Counsel by Mark E. Merin, Esq (Merin, Mark) (Filed on 11/15/2006) (Entered: 11/15/2006)



01/11/2007	<u>26</u>	Letter from James V. Fitzgerald, III. (Fitzgerald, James) (Filed on 1/11/2007) (Entered: 01/11/2007)
01/30/2007	<u>27</u>	CLERK'S NOTICE that the Further Case Management Conference previously noticed for 3/2/7 at 1:30 PM has been continued to 3/9/2007 at 1:30 PM. The Joint Updated Case Management Statement shall be due by 3/2/2007. (klh, COURT STAFF) (Filed on 1/30/2007) (Entered: 01/30/2007)
02/20/2007	<u>28</u>	STIPULATION TO CONTINUE DATE OF FURTHER CASE MANAGEMENT CONFERENCE by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Jim Matheron. (Fitzgerald, James) (Filed on 2/20/2007) (Entered: 02/20/2007)
02/26/2007	<u>29</u>	STIPULATION AND ORDER TO CONTINUE DATE OF FURTHER CASE MANAGEMENT CONFERENCE from March 9, 2007 at 1:30 PM to March 23, 2007 at 1:30 PM. Joint updated statement due by 3/16/7. Signed by Judge Joseph C. Spero on 2/26/7. (klh, COURT STAFF) (Filed on 2/26/2007) (Entered: 02/26/2007)
02/26/2007		Set/Reset Hearings: Further Case Management Conference reset for 3/23/2007 at 01:30 PM. (klh, COURT STAFF) (Filed on 2/26/2007) (Entered: 02/26/2007)
03/16/2007	<u>30</u>	JOINT CASE MANAGEMENT STATEMENT filed by Russell Moyle. (Schwartz, Andrew) (Filed on 3/16/2007) (Entered: 03/16/2007)
03/16/2007	<u>31</u>	STIPULATION and Order Re: Extension of Time to File Motion for Class Certification by Russell Moyle. (Schwartz, Andrew) (Filed on 3/16/2007) (Entered: 03/16/2007)
03/19/2007	<u>32</u>	STIPULATION AND ORDER RE: EXTENSION OF TIME TO FILE MOTION FOR CLASS CERTIFICATION – 60 days from 3/19/07. Signed by Judge Joseph C. Spero on 03/19/07. (klh, COURT STAFF) (Filed on 3/19/2007) (Entered: 03/19/2007)
03/23/2007	<u>33</u>	Minute Entry: Further Case Management Conference held on 3/23/2007 before Joseph C. Spero. A further case management conference will be set at the Motion for Class Certification hearing. (Tape #Not Recorded.) (klh, COURT STAFF) (Date Filed: 3/23/2007) (Entered: 03/23/2007)
05/17/2007	<u>34</u>	ASSOCIATION of Counsel by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Jim Matheron. (Fitzgerald, James) (Filed on 5/17/2007) (Entered: 05/17/2007)
05/18/2007	<u>35</u>	MOTION to Certify Class Notice filed by Katherine Ermitano, Russell Moyle. Motion Hearing set for 6/22/2007 01:30 PM in Courtroom A, 15th Floor, San Francisco. (Merin, Mark) (Filed on 5/18/2007) (Entered: 05/18/2007)
05/18/2007	<u>36</u>	Brief re <u>35</u> MOTION to Certify Class Notice filed by Katherine Ermitano, Russell Moyle. (Related document(s) <u>35</u> ) (Merin, Mark) (Filed on 5/18/2007) (Entered: 05/18/2007)
05/18/2007	<u>37</u>	Declaration in Support of <u>35</u> MOTION to Certify Class Notice, <u>36</u> Brief filed by Katherine Ermitano, Russell Moyle. (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# <u>10</u> Exhibit J# <u>11</u> Exhibit K# <u>12</u> Exhibit L# <u>13</u> Exhibit M# <u>14</u> Exhibit N# <u>15</u> Exhibit O# <u>16</u> Exhibit P# <u>17</u> Exhibit Q)(Related document(s) <u>35</u> , <u>36</u> ) (Merin, Mark) (Filed on 5/18/2007) (Entered: 05/18/2007)
05/18/2007	<u>38</u>	Declaration in Support of <u>36</u> Brief, <u>37</u> Declaration in Support,, <u>35</u> MOTION to Certify Class Notice Re: Briefing Schedule filed by Katherine Ermitano, Russell Moyle. (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)(Related document(s) <u>36</u> , <u>37</u> , <u>35</u> ) (Merin, Mark) (Filed on 5/18/2007) (Entered: 05/18/2007)
05/18/2007	<u>39</u>	Declaration of Katherine Ermitano in Support of <u>36</u> Brief, <u>38</u> Declaration in Support,, <u>37</u> Declaration in Support,, <u>35</u> MOTION to Certify Class Notice filed by Katherine Ermitano, Russell Moyle. (Related document(s) <u>36</u> , <u>38</u> , <u>37</u> , <u>35</u> ) (Merin, Mark) (Filed on 5/18/2007) (Entered: 05/18/2007)
05/18/2007	<u>40</u>	Proposed Order re <u>35</u> MOTION to Certify Class Notice by Katherine Ermitano, Russell Moyle. (Merin, Mark) (Filed on 5/18/2007) (Entered: 05/18/2007)

05/18/2007	<u>41</u>	NOTICE by Katherine Ermitano, Russell Moyle re <u>35</u> MOTION to Certify Class <i>Notice Proposed</i> (Merin, Mark) (Filed on 5/18/2007) (Entered: 05/18/2007)
05/29/2007	<u>42</u>	STIPULATION AND PROPOSED ORDER SETTING BRIEFING SCHEDULE FOR CLASS CERTIFICATION MOTION by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Jim Matheron. (Fitzgerald, James) (Filed on 5/29/2007) (Entered: 05/29/2007)
05/30/2007	<u>43</u>	STIPULATION AND ORDER SETTING BRIEFING SCHEDULE FOR CLASS CERTIFICATION MOTION. Pla's Motion for Class Certification is now set for 8/17/7 at 1:30 PM. A further case management conference is also set for 8/17/7 at 1:30 PM. A joint updated case management conference statement shall be due by 8/10/7. Signed by Judge Joseph C. Spero on 5/29/7. (klh, COURT STAFF) (Filed on 5/30/2007) (Entered: 05/30/2007)
05/30/2007		Set/Reset Deadlines as to <u>35</u> MOTION to Certify Class <i>Notice</i> . Opposition due by 6/22/2007. Replies due by 7/6/2007. Motion Hearing re-set for 8/17/2007 at 01:30 PM in Courtroom A, 15th Floor, San Francisco. (klh, COURT STAFF) (Filed on 5/30/2007) (Entered: 05/30/2007)
05/30/2007		Set Deadlines/Hearings: Updated Joint Case Management Statement due by 8/10/2007. Further Case Management Conference set for 8/17/2007 01:30 PM. (klh, COURT STAFF) (Filed on 5/30/2007) (Entered: 05/30/2007)
06/22/2007	<u>44</u>	MOTION for Summary Judgment; Memorandum of Points and Authorities in Support Thereof filed by Nancy Miller, Contra Costa County, Contra Costa County Probation Department, Lionel Chatman. Motion Hearing set for 8/17/2007 09:00 AM in Courtroom A, 15th Floor, San Francisco. (Obstler, Peter) (Filed on 6/22/2007) Modified on 6/26/2007 (gba, COURT STAFF). (Entered: 06/22/2007)
06/22/2007	<u>45</u>	Appendix of Unpublished Authorities in support of <u>44</u> MOTION for Summary Judgment; Memorandum of Points and Authorities in Support Thereof filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Attachments: # <u>1</u> Exhibit TAB 1# <u>2</u> Exhibit TAB 2)(Related document(s) <u>44</u> ) (Obstler, Peter) (Filed on 6/22/2007) Modified on 6/26/2007 (gba, COURT STAFF). (Entered: 06/22/2007)
06/22/2007	<u>46</u>	Declaration of Marlon Washington in Support of <u>44</u> MOTION for Summary Judgment; Memorandum of Points and Authorities in Support Thereof filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Related document(s) <u>44</u> ) (Obstler, Peter) (Filed on 6/22/2007) Modified on 6/26/2007 (gba, COURT STAFF). (Entered: 06/22/2007)
06/22/2007	<u>47</u>	Declaration of James V. Fitzgerald, III in Support of <u>44</u> MOTION for Summary Judgment; Memorandum of Points and Authorities in Support Thereof filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (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# <u>10</u> Exhibit J_1# <u>11</u> Exhibit J_2# <u>12</u> Exhibit K_1# <u>13</u> Exhibit K_2# <u>14</u> Exhibit L# <u>15</u> Exhibit M)(Related document(s) <u>44</u> ) (Obstler, Peter) (Filed on 6/22/2007) Modified on 6/26/2007 (gba, COURT STAFF). (Entered: 06/22/2007)
06/23/2007	<u>48</u>	NOTICE of Statement of Undisputed Facts and Defendants' Separate Statement of Proposed Undisputed Facts that Plaintiffs Continue to Dispute in support of by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller <u>44</u> MOTION for Summary Judgment; Memorandum of Points and Authorities in Support Thereof (Obstler, Peter) (Filed on 6/23/2007) Modified on 6/26/2007 (gba, COURT STAFF). (Entered: 06/23/2007)
06/23/2007	<u>49</u>	Memorandum in Opposition re <u>35</u> MOTION to Certify Class <i>Notice</i> filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Obstler, Peter) (Filed on 6/23/2007) (Entered: 06/23/2007)
06/23/2007	<u>50</u>	Appendix of Unpublished Authorities in support of <u>49</u> Memorandum in Opposition filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Attachments: # <u>1</u> Exhibit TAB 1)(Related document(s) <u>49</u> ) (Obstler, Peter) (Filed on 6/23/2007) Modified on 6/26/2007 (gba, COURT STAFF). (Entered: 06/23/2007)



06/27/2007	<u>51</u>	ORDER Motion Hearing set for 10/12/2007 09:30 AM.. Signed by Judge JOSEPH C. SPERO on 6/27/07. (bjt, COURT STAFF) (Filed on 6/27/2007) (Entered: 06/27/2007)
06/28/2007	<u>52</u>	STIPULATION and [Proposed] Order to Amend Briefing Schedule and Dismiss Plaintiff Russell Moyle by Contra Costa County. (Obstler, Peter) (Filed on 6/28/2007) (Entered: 06/28/2007)
06/29/2007	<u>53</u>	STIPULATION AND ORDER re <u>35</u> MOTION to Certify Class Notice filed by Katherine Ermitano, Russell Moyle, <u>44</u> MOTION for Summary Judgment; Memorandum of Points and Authorities in Support Thereof filed by Nancy Miller, Contra Costa County Probation Department, Contra Costa County, Lionel Chatman, <u>52</u> Stipulation filed by Contra Costa County, Russell Moyle terminated. Motion Hearing on Plaintiffs' Motion to Certify Class and Defendants' Motin for Summary Judgment set for 10/12/2007 09:30 AM in Courtroom A, 15th Floor, San Francisco. Briefing schedule modified as follows: Plaintiffs' reply to defendants' opposition to plaintiffs' motion for class certification due by July 20, 2007; Plaintiff's response to defendants' motion for summary judgment due by August 14, 2007; Defendants' reply to plaintiffs' response to defendants' motion for summary judgment is due by September 7, 2007. Signed by Judge Joseph C. Spero on 6/29/2007. (tl, COURT STAFF) (Filed on 6/29/2007) (Entered: 06/29/2007)
07/13/2007	<u>54</u>	MOTION for Leave to File Excess Pages – Plaintiff's Miscellaneous Administrative Request for Leave to File Up to a 35 Page Brief in Reply to Defendants' Opposition to Plaintiffs' Motion for Class Certification; Declaration of Mark E. Merin; [Proposed] Order [Local Rule 7–11] filed by Katherine Ermitano. Motion Hearing set for 10/12/2007 09:30 AM in Courtroom 15, 18th Floor, San Francisco. (Merin, Mark) (Filed on 7/13/2007) (Entered: 07/13/2007)
07/16/2007	<u>55</u>	Reply Memorandum to Plaintiffs' Miscellaneous Administrative Request for Leave to File up to a 35 Page Brief in Reply to Defendants' Opposition to Plaintiffs' Motion for Class Certification filed by Contra Costa County. (Obstler, Peter) (Filed on 7/16/2007) (Entered: 07/16/2007)
07/17/2007	<u>56</u>	Letter from Jee Young You to Magistrate Judge Joseph C. Spero regarding Corrected Response to Plaintiffs' Miscellaneous Administrative Request for Leave to File up to a 35 Page Brief. (Obstler, Peter) (Filed on 7/17/2007) (Entered: 07/17/2007)
07/17/2007	<u>57</u>	Reply Memorandum Defendants' CORRECTED Response to Plaintiffs' Miscellaneous Administrative Request for Leave to File up to a 35 Page Brief <u>54</u> filed by Contra Costa County. (Obstler, Peter) (Filed on 7/17/2007) Modified on 7/18/2007 (sv, COURT STAFF). (Entered: 07/17/2007)
07/18/2007	<u>58</u>	Reply to Opposition re <u>54</u> MOTION for Leave to File Excess Pages – Plaintiff's Miscellaneous Administrative Request for Leave to File Up to a 35 Page Brief in Reply to Defendants' Opposition to Plaintiffs' Motion for Class Certification; Declaration of Mark E. [Proposed] Order filed by Katherine Ermitano. (Merin, Mark) (Filed on 7/18/2007) (Entered: 07/18/2007)
07/20/2007	<u>59</u>	Reply to Opposition to Plaintiffs' Motion for Class Certification filed by Katherine Ermitano. (Merin, Mark) (Filed on 7/20/2007) (Entered: 07/20/2007)
07/20/2007	<u>60</u>	Declaration of Mark E. Merin in Support of <u>59</u> Reply to Opposition to Plaintiff's Motion for Class Certification filed by Katherine Ermitano. (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)(Related document(s) <u>59</u> ) (Merin, Mark) (Filed on 7/20/2007) (Entered: 07/20/2007)
07/23/2007	<u>61</u>	ORDER GRANTING LEAVE TO FILE UP TO A 22–PAGE REPLY BRIEF in support of their Motion for Class Certification. Pla may file a brief not to exceed 21 pages. Signed by Judge Joseph C. Spero on 7/23/07. (klh, COURT STAFF) (Filed on 7/23/2007) (Entered: 07/23/2007)
08/10/2007	<u>62</u>	JOINT CASE MANAGEMENT STATEMENT – JOINT UPDATED CASE MANAGEMENT STATEMENT; DEFENDANTS' UNOPPOSED REQUEST FOR LEAVE TO FILE A REPLY BRIEF UP TO 21 PAGES; [PROPOSED] ORDER filed by Contra Costa County. (Obstler, Peter) (Filed on 8/10/2007) (Entered: 08/10/2007)
08/13/2007	<u>63</u>	ORDER GRANTING UNOPPOSED REQUEST FOR LEAVE TO FILE A REPLY BRIEF UP TO 21 PAGES. [Grants Docket No. 62]. Signed by Judge Joseph C. Spero

		on 8/13/7. (klh, COURT STAFF) (Filed on 8/13/2007) Modified on 8/14/2007 (gba, COURT STAFF). (Entered: 08/13/2007)
08/14/2007	<u>64</u>	Memorandum in Opposition to <u>44</u> Defendants' Motion for Summary Judgment filed by Katherine Ermitano. (Merin, Mark) (Filed on 8/14/2007) Modified on 8/31/2007 (gba, COURT STAFF). (Entered: 08/14/2007)
08/14/2007	<u>65</u>	RESPONSE to Defendants' Statement of Disputed and Undisputed Facts in Opposition to Defendants' Motion for Summary Judgment filed by Katherine Ermitano. (Merin, Mark) (Filed on 8/14/2007) Modified on 8/31/2007 (gba, COURT STAFF). (Entered: 08/14/2007)
08/14/2007	<u>66</u>	Notice of Separate Statement of Undisputed Facts in support of <u>64</u> Opposition to Defendants' Motion for Summary Judgment filed by Katherine Ermitano. (Merin, Mark) (Filed on 8/14/2007) Modified on 8/31/2007 (gba, COURT STAFF). (Entered: 08/14/2007)
08/14/2007	<u>67</u>	Declaration of Mark E. Merin in Support of <u>64</u> Plaintiffs' Opposition to Defendants' Motion for Summary Judgment filed by Katherine Ermitano. (Attachments: # <u>1</u> Exhibit A-C# <u>2</u> Exhibit D# <u>3</u> Exhibit E-I)(Merin, Mark) (Filed on 8/14/2007) Modified on 8/31/2007 (gba, COURT STAFF). (Entered: 08/14/2007)
08/14/2007	<u>68</u>	Declaration of John P. Rhoads in Support of <u>64</u> Plaintiffs' Opposition to Defendants' Motion for Summary Judgment filed by Katherine Ermitano. (Merin, Mark) (Filed on 8/14/2007) Modified on 8/31/2007 (gba, COURT STAFF). (Entered: 08/14/2007)
08/14/2007	<u>69</u>	Declaration of Russell Davis in Support of <u>64</u> Plaintiffs' Opposition to Defendants' Motion for Summary Judgment filed by Katherine Ermitano. (Merin, Mark) (Filed on 8/14/2007) Modified on 8/31/2007 (gba, COURT STAFF). (Entered: 08/14/2007)
08/14/2007	<u>70</u>	Declaration of Lynn E. Ponton, M.D. in Support of <u>64</u> Plaintiffs' Opposition to Defendants' Motion for Summary Judgment filed by Katherine Ermitano. (Merin, Mark) (Filed on 8/14/2007) Modified on 8/31/2007 (gba, COURT STAFF). (Entered: 08/14/2007)
08/17/2007	<u>71</u>	Minute Entry: Further Case Management Conference held on 8/17/2007 before Joseph C. Spero. (Tape #Not Recorded.) (klh, COURT STAFF) (Date Filed: 8/17/2007) (Entered: 08/17/2007)
08/20/2007	<u>72</u>	FURTHER CASE MANAGEMENT AND PRETRIAL ORDER: Further Case Management Conference set for 10/12/2007 at 09:30 AM. Signed by Judge Joseph C. Spero on 8/20/07. (klh, COURT STAFF) (Filed on 8/20/2007) (Entered: 08/20/2007)
09/07/2007	<u>73</u>	RESPONSE to Plaintiffs' Statement of Undisputed Facts in Opposition to Defendants' Motion for Summary Judgment by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Obstler, Peter) (Filed on 9/7/2007) (Entered: 09/07/2007)
09/07/2007	<u>74</u>	REPLY to <u>44</u> Motion for Summary Judgment filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Obstler, Peter) (Filed on 9/7/2007) Modified on 9/18/2007 (gba, COURT STAFF). (Entered: 09/07/2007)
09/07/2007	<u>75</u>	Appendix re <u>74</u> Reply to Response to Motion for Summary Judgment filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Attachments: # <u>1</u> Exhibit 1)(Related document(s) <u>74</u> ) (Obstler, Peter) (Filed on 9/7/2007) (Entered: 09/07/2007)
09/07/2007	<u>76</u>	Declaration of Carla Meninsky in Support of <u>74</u> Reply to Motion for Summary Judgment filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (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)(Related document(s) <u>74</u> ) (Obstler, Peter) (Filed on 9/7/2007) Modified on 9/18/2007 (gba, COURT STAFF). (Entered: 09/07/2007)
09/07/2007	<u>77</u>	CORRECTED REPLY to <u>44</u> Motion for Summary Judgment (with Signature) filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Obstler, Peter) (Filed on 9/7/2007) Modified on 9/18/2007 (gba,

		COURT STAFF). (Entered: 09/07/2007)
09/08/2007	<u>78</u>	AMENDED REPLY to <u>77</u> Reply to Motion for Summary Judgment by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Obstler, Peter) (Filed on 9/8/2007) Modified on 9/18/2007 (gba, COURT STAFF). (Entered: 09/08/2007)
09/10/2007	<u>79</u>	Letter from Carla Meninsky <i>Regarding Reply Filed on 9/7/07</i> . (Obstler, Peter) (Filed on 9/10/2007) (Entered: 09/10/2007)
09/10/2007	<u>80</u>	ERRATA re <u>78</u> Amended Reply by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Obstler, Peter) (Filed on 9/10/2007) Modified on 9/19/2007 (gba, COURT STAFF). (Entered: 09/10/2007)
10/09/2007	<u>81</u>	CLERK'S NOTICE that the hearing on Plas' Motion for Class Cert., Dfts' Motion for Summary Judgment and Further Case Management Conference prev. set for 10/12/7, has been reset for 10/26/2007 at 09:30 AM. Updated Joint Case Management Statement due by 10/19/2007. (klh, COURT STAFF) (Filed on 10/9/2007) (Entered: 10/09/2007)
10/22/2007	<u>82</u>	JOINT CASE MANAGEMENT STATEMENT filed by Katherine Ermitano. (Merin, Mark) (Filed on 10/22/2007) (Entered: 10/22/2007)
10/26/2007	<u>83</u>	Minute Entry: Further Case Management Conference held on 10/26/2007 before Joseph C. Spero. Motion Hearing held on 10/26/2007 before Joseph C. Spero re <u>35</u> MOTION to Certify Class <i>Notice</i> filed by Katherine Ermitano, Russell Moyle, <u>44</u> MOTION for Summary Judgment; Memorandum of Points and Authorities in Support Thereof filed by Nancy Miller, Contra Costa County Probation Department, Contra Costa County, Lionel Chatman. Moions Submitted. (Court Reporter Starr Wilson.) (klh, COURT STAFF) (Date Filed: 10/26/2007) (Entered: 10/26/2007)
11/09/2007	<u>84</u>	Letter from James V. Fitzgerald, III. (Fitzgerald, James) (Filed on 11/9/2007) (Entered: 11/09/2007)
11/19/2007	<u>85</u>	NOTICE of Voluntary Dismissal by <i>Stipulation of Defendants Contra Costa County Chief Probation Officer Lionel Chatman and Contra Costa County Chief Deputy Probation Officer for Juvenile Hall Nancy Miller, in their INDIVIDUAL capacities ONLY [FRCP Rule 41(a)]; [Proposed] Order</i> by Katherine Ermitano, Russell Moyle (Merin, Mark) (Filed on 11/19/2007) (Entered: 11/19/2007)
11/21/2007	<u>86</u>	STIPULATION AND ORDER RE: VOLUNTARY DISMISSAL OF DEFENDANTS CONTRA COSTA COUNTY CHIEF PROBATION OFFICER LIONEL CHATMAN AND CONTRA COSTA COUNTY CHIEF DEPUTY PROBATION OFFICER FOR JUVENILE HALL NANCY MILLER, IN THEIR INDIVIDUAL CAPACITIES, ONLY. Signed by Judge Joseph C. Spero on 11/20/07. (klh, COURT STAFF) (Filed on 11/21/2007) (Entered: 11/21/2007)
12/05/2007	<u>87</u>	ORDER re <u>35</u> MOTION to Certify Class and <u>44</u> MOTION for Summary Judgment. Signed by Judge Joseph C. Spero on December 5, 2007. (jcscl1, COURT STAFF) (Filed on 12/5/2007) (Entered: 12/05/2007)
01/04/2008	<u>88</u>	NOTICE by Katherine Ermitano, Russell Moyle <i>Agreed Notice of Pendency of Class Action</i> (Attachments: # <u>1</u> Notice of Pendency of Class Action)(Merin, Mark) (Filed on 1/4/2008) (Entered: 01/04/2008)
01/09/2008	<u>89</u>	TRANSCRIPT of Proceedings held on 10/26/07 before Judge Joseph C. Spero. Court Reporter: Starr A. Wilson. (sv, COURT STAFF) (Filed on 1/9/2008) (Entered: 01/16/2008)
04/21/2008	<u>90</u>	JOINT CASE MANAGEMENT STATEMENT filed by Russell Moyle. (Schwartz, Andrew) (Filed on 4/21/2008) (Entered: 04/21/2008)
04/28/2008	<u>91</u>	CLERK'S NOTICE Setting A Discovery Conference for 5/5/8 at 11:00 AM before Judge Joseph C. Spero, Courtroom A, 15th Floor, San Francisco, CA (klh, COURT STAFF) (Filed on 4/28/2008) (Entered: 04/28/2008)
04/28/2008		Set/Reset Hearings: Discovery Hearing set for 5/5/2008 at 11:00 AM in Courtroom A, 15th Floor, San Francisco. (klh, COURT STAFF) (Filed on 4/28/2008) (Entered: 04/28/2008)

05/05/2008	<u>92</u>	Minute Entry: Discovery Hearing held on 5/5/2008 before Joseph C. Spero. Further case management conference set for 7/18/8 at 9:30 AM. Joint updated case management conference statement due by 7/14/8. (Tape #FTR 11:13-11:36.) (klh, COURT STAFF) (Date Filed: 5/5/2008) (Entered: 05/05/2008)
05/07/2008	<u>93</u>	FURTHER CASE MANAGEMENT AND PRETRIAL ORDER: Joint Updated Case Management Statement due by 7/14/2008. Further Case Management Conference set for 7/18/2008 at 09:30 AM. Signed by Judge Joseph C. Spero on 5/7/8. (klh, COURT STAFF) (Filed on 5/7/2008) (Entered: 05/07/2008)
07/11/2008	<u>94</u>	CASE MANAGEMENT STATEMENT filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Fitzgerald, James) (Filed on 7/11/2008) (Entered: 07/11/2008)
07/16/2008	<u>95</u>	CLERK'S NOTICE continuing the Further Case Management Conference to 8/22/2008 at 01:30 PM. Joint Updated Case Management Statement due by 8/22/2008. (klh, COURT STAFF) (Filed on 7/16/2008) (Entered: 07/16/2008)
08/15/2008	<u>96</u>	CASE MANAGEMENT STATEMENT filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Obstler, Peter) (Filed on 8/15/2008) (Entered: 08/15/2008)
08/18/2008	<u>97</u>	CASE MANAGEMENT STATEMENT of <i>Plaintiffs</i> filed by Katherine Ermitano, Russell Moyle. (Schwartz, Andrew) (Filed on 8/18/2008) (Entered: 08/18/2008)
08/18/2008	<u>98</u>	STIPULATION and <i>[Proposed]</i> Order re: <i>Case Management Conference Continuance Until January 2009</i> by Katherine Ermitano, Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller, Russell Moyle, Rhonda Bowers. (Obstler, Peter) (Filed on 8/18/2008) (Entered: 08/18/2008)
08/19/2008	<u>99</u>	STIPULATION AND ORDER RE: CASE MANAGEMENT CONFERENCE CONTINUANC UNTIL JAN. 2009. Further Case Management Conference currently set for 8/22/8 at 1:30 PM has been re-set for 1/16/2009 at 01:30 PM. Signed, as modified, by Judge Joseph C. Spero on 8/19/08. (klh, COURT STAFF) (Filed on 8/19/2008) (Entered: 08/19/2008)
08/28/2008	<u>100</u>	NOTICE of Change of Address by Peter Obstler <i>for O'Melveny &amp; Myers LLP</i> (Obstler, Peter) (Filed on 8/28/2008) (Entered: 08/28/2008)
01/09/2009	<u>101</u>	CASE MANAGEMENT STATEMENT <i>UPDATED JOINT</i> filed by Katherine Ermitano, Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller, Jim Matheron, Rhonda Bowers. (Obstler, Peter) (Filed on 1/9/2009) (Entered: 01/09/2009)
01/16/2009	<u>102</u>	Minute Entry: Further Case Management Conference held on 1/16/2009 before Joseph C. Spero. Bench Trial set for 9/21/2009 at 08:30 AM in Courtroom A, 15th Floor, San Francisco. Further Case Management Conference set for 3/27/2009 at 01:30 PM. Pretrial Conference set for 8/28/2009 at 01:30 PM in Courtroom A, 15th Floor, San Francisco. (Tape #Not Recorded.) (klh, COURT STAFF) (Date Filed: 1/16/2009) (Entered: 01/16/2009)
01/20/2009	<u>103</u>	CASE MANAGEMENT AND PRETRIAL ORDER: Bench Trial set for 9/21/2009 at 08:30 AM in Courtroom A, 15th Floor, San Francisco. Updated Joint Case Management Statement due by 3/13/2009. Further Case Management Conference set for 3/27/2009 at 01:30 PM. Final Pretrial Conference set for 8/28/2009 at 01:30 PM in Courtroom A, 15th Floor, San Francisco. Signed by Judge Joseph C. Spero on 1/20/09. (klh, COURT STAFF) (Filed on 1/20/2009) (Entered: 01/20/2009)
02/12/2009	<u>104</u>	Letter from Mark E. Merin requesting Ex Parte Hearing. (Merin, Mark) (Filed on 2/12/2009) (Entered: 02/12/2009)
02/12/2009	<u>105</u>	Ex Parte Application re <u>104</u> Letter <i>for Protective Order for Disclosure of Juvenile Records</i> filed by Katherine Ermitano, Russell Moyle. Motion Hearing set for 2/13/2009 01:30 PM in Courtroom A, 15th Floor, San Francisco. (Attachments: # <u>1</u> Proposed Order Protective Order for Disclosure of Juvenile Records, # <u>2</u> Exhibit A)(Merin, Mark) (Filed on 2/12/2009) (Entered: 02/12/2009)



02/12/2009	<u>106</u>	ORDER GRANTING re <u>104</u> Letter filed by Katherine Ermitano, Russell Moyle for Ex Parte Hearing on Ex Parte Application for Protective Order for Disclosure of Juvenile Records. Hearing set for 2/13/9 at 1:30 PM. Signed by Judge Joseph C. Spero on 2/12/09. (klh, COURT STAFF) (Filed on 2/12/2009) (Entered: 02/12/2009)
02/12/2009	<u>107</u>	CERTIFICATE OF SERVICE by Katherine Ermitano, Russell Moyle re <u>105</u> Ex Parte Application re <u>104</u> Letter for Protective Order for Disclosure of Juvenile Records Ex Parte Application re <u>104</u> Letter for Protective Order for Disclosure of Juvenile Records, <u>104</u> Letter (Merin, Mark) (Filed on 2/12/2009) (Entered: 02/12/2009)
02/13/2009	<u>108</u>	Minute Entry: Motion Hearing held on 2/13/2009 before Joseph C. Spero re <u>105</u> Ex Parte Application re <u>104</u> Letter for Protective Order for Disclosure of Juvenile Records filed by Katherine Ermitano, Russell Moyle. Motion Granted. (Court Reporter Kathy Wyatt.) (klh, COURT STAFF) (Date Filed: 2/13/2009) (Entered: 02/13/2009)
02/13/2009	<u>109</u>	ORDER, by Judge Joseph C. Spero, signed 2/13/9, granting <u>105</u> Ex Parte Application for Protective Order Disclosure of Juvenile Records. (klh, COURT STAFF) (Filed on 2/13/2009) (Entered: 02/13/2009)
03/13/2009	<u>110</u>	CASE MANAGEMENT STATEMENT ( <i>Plaintiffs' Updated</i> ) filed by Katherine Ermitano. (Schwartz, Andrew) (Filed on 3/13/2009) (Entered: 03/13/2009)
03/13/2009	<u>111</u>	CASE MANAGEMENT STATEMENT of <i>Defendant Contra Costa County</i> filed by Contra Costa County, Contra Costa County Probation Department, Lionel Chatman, Nancy Miller. (Obstler, Peter) (Filed on 3/13/2009) (Entered: 03/13/2009)
03/27/2009	<u>112</u>	Minute Entry: Further Case Management Conference held on 3/27/2009 before Joseph C. Spero. Simultaneous briefs due 5/15/9. Further cmc set for 6/12/9. Court to prepare Order. (Tape #Not reported.) (klh, COURT STAFF) (Date Filed: 3/27/2009) (Entered: 03/27/2009)
03/31/2009	<u>113</u>	FURTHER CASE MANAGEMENT AND PRETRIAL ORDER: Simultaneous briefs due by 5/15/2009. Joint updated Case Management Statement due by 6/2/2009. Further Case Management Conference set for 6/12/2009 01:30 PM. Signed by Judge Joseph C. Spero on 3/31/09. (klh, COURT STAFF) (Filed on 3/31/2009) (Entered: 03/31/2009)
06/02/2009	<u>114</u>	CASE MANAGEMENT STATEMENT <i>JOINT</i> filed by Katherine Ermitano. (Schwartz, Andrew) (Filed on 6/2/2009) (Entered: 06/02/2009)
06/08/2009	<u>115</u>	*** <b>FILED IN ERROR. PLEASE SEE DOCKET # 116</b> . *** MOTION to Appear by Telephone by <i>Peter Obstler, Esq.</i> filed by Lionel Chatman, Contra Costa County, Contra Costa County Probation Department, Nancy Miller. Motion Hearing set for 6/12/2009 01:30 PM in Courtroom A, 15th Floor, San Francisco. (Obstler, Peter) (Filed on 6/8/2009) Modified on 6/8/2009 (ewn, COURT STAFF). (Entered: 06/08/2009)
06/08/2009	<u>116</u>	MOTION to Appear by Telephone <i>CORRECTION OF DOCKET # 115</i> filed by Lionel Chatman, Contra Costa County, Contra Costa County Probation Department, Nancy Miller. Motion Hearing set for 6/12/2009 01:30 PM in Courtroom A, 15th Floor, San Francisco. (Obstler, Peter) (Filed on 6/8/2009) (Entered: 06/08/2009)
06/08/2009	<u>117</u>	ORDER, by Judge Joseph C. Spero, signed 6/8/9 granting <u>116</u> Motion to Appear by Telephone – Peter Obstler at the case management conference on 6/12/9 at 1:30 PM. (klh, COURT STAFF) (Filed on 6/8/2009) (Entered: 06/08/2009)
06/12/2009	<u>118</u>	Minute Entry: Further Case Management Conference held on 6/12/2009 before Joseph C. Spero. An updated case management conference statement shall be due by 8/7/9. Further cmc set for 8/14/9 at 1:30 PM and to set a new pretrial conference date. Bench trial date of 9/21/9 has been continued to 3/22/10 at 8:30 AM. (Tape #Not Reported.) (klh, COURT STAFF) (Date Filed: 6/12/2009) (Entered: 06/15/2009)
06/16/2009	<u>119</u>	NOTICE of Substitution of Counsel by Peter Obstler (Obstler, Peter) (Filed on 6/16/2009) (Entered: 06/16/2009)
06/16/2009		Set/Reset Hearings: Bench Trial set for 3/22/2010 08:30 AM in Courtroom A, 15th Floor, San Francisco. Further Case Management Conference set for 8/14/2009 01:30 PM. (gba, COURT STAFF) (Filed on 6/16/2009) (Entered: 06/16/2009)



06/17/2009	<u>120</u>	FURTHER CASE MANAGEMENT AND PRETRIAL ORDER: Bench Trial reset for 3/22/2010 at 08:30 AM. Further Case Management Conference set for 8/14/2009 at 01:30 PM. Signed by Judge Joseph C. Spero on 6/17/09. (klh, COURT STAFF) (Filed on 6/17/2009) (Entered: 06/17/2009)
07/27/2009	<u>121</u>	STIPULATION <i>Request to Vacate Dates for Further Case Management Conference, Pre-Trial Conference, and Trial; [Proposed] Order</i> by Rhonda Bowers, Lionel Chatman, Contra Costa County, Contra Costa County Probation Department, Katherine Ermitano, Jim Matheron, Nancy Miller. (Merin, Mark) (Filed on 7/27/2009) (Entered: 07/27/2009)
07/28/2009	<u>122</u>	STIPULATED REQUEST TO VACATE DATES FOR FURTHER CASE MANAGEMENT CONFERENCE, PRETRIAL CONFERENCE, AND TRIAL AND ORDER. Signed by Judge Joseph C. Spero on 7/28/2009. (ls, COURT STAFF) (Filed on 7/28/2009) (Entered: 07/28/2009)
09/03/2009	<u>123</u>	STIPULATION of <i>Settlement</i> by Rhonda Bowers, Lionel Chatman, Contra Costa County, Contra Costa County Probation Department, Katherine Ermitano, Jim Matheron, Nancy Miller, Russell Moyle. (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 [FILED UNDER SEAL])(Merin, Mark) (Filed on 9/3/2009) (Entered: 09/03/2009)
09/03/2009	<u>124</u>	MOTION to Seal <i>Exhibit 5 to the Stipulation of Settlement; Declaration of Mark E. Merin in Support</i> filed by Rhonda Bowers, Katherine Ermitano, Russell Moyle. Motion Hearing set for 9/18/2009 09:30 AM in Courtroom A, 15th Floor, San Francisco. (Attachments: # <u>1</u> Proposed Order)(Merin, Mark) (Filed on 9/3/2009) (Entered: 09/03/2009)
09/03/2009	<u>125</u>	MOTION for Settlement <i>Stipulated Motion for Preliminary Approval of Provisional Settlement Class and Settlement of Class Action</i> filed by Rhonda Bowers, Lionel Chatman, Contra Costa County, Contra Costa County Probation Department, Katherine Ermitano, Jim Matheron, Nancy Miller, Russell Moyle. Motion Hearing set for 9/18/2009 09:30 AM in Courtroom A, 15th Floor, San Francisco. (Attachments: # <u>1</u> Stipulated Motion for Preliminary Approval of Provisional Settlement Class and Settlement of Class Action, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Proposed Order, # <u>6</u> Exhibit A [Proposed Order], # <u>7</u> Exhibit B [Proposed Order])(Merin, Mark) (Filed on 9/3/2009) (Entered: 09/03/2009)
09/03/2009	<u>126</u>	Proposed Order <i>Protective Order for Disclosure of Records and Information</i> by Rhonda Bowers, Lionel Chatman, Contra Costa County, Contra Costa County Probation Department, Katherine Ermitano, Jim Matheron, Nancy Miller, Russell Moyle. (Merin, Mark) (Filed on 9/3/2009) (Entered: 09/03/2009)
09/03/2009	132	EXHIBIT 5 to Stipulation of Settlement filed by Rhonda Bowers, Lionel Chatman, Contra Costa County, Contra Costa County Probation Department, Katherine Ermitano, Jim Matheron, Nancy Miller, Russell Moyle. <b>FILED UNDER SEAL</b> (gba, COURT STAFF) (Filed on 9/3/2009) (Entered: 10/01/2009)
09/15/2009	<u>127</u>	CLERKS NOTICE that the hearing on the Stipulated Motion for Preliminary Approval of Provisional Settlement Class, and Settlement Class Action, prev. set for 9/18/9 at 9:30 AM, has been reset TO THE SAME DAY AT 02:30 PM in Courtroom A, 15th Floor, San Francisco. (klh, COURT STAFF) (Filed on 9/15/2009) (Entered: 09/15/2009)
09/18/2009	<u>128</u>	ORDER, by Judge Joseph C. Spero, signed 9/17/9, granting <u>124</u> Motion to File Under Seal Exhibit 5 to the Stipulation of Settlement. (klh, COURT STAFF) (Filed on 9/18/2009) (Entered: 09/18/2009)
09/18/2009	<u>129</u>	Minute Entry: Motion Hearing held on 9/18/2009 before Joseph C. Spero re <u>125</u> MOTION for Settlement <i>Stipulated Motion for Preliminary Approval of Provisional Settlement Class and Settlement of Class Action</i> filed by Nancy Miller, Katherine Ermitano, Contra Costa County Probation Department, Contra Costa County, Russell Moyle, Rhonda Bowers, Lionel Chatman, Jim Matheron. (Court Reporter Catherine Edwards.) (klh, COURT STAFF) (Date Filed: 9/18/2009) (Entered: 09/18/2009)
09/18/2009	<u>130</u>	ORDER, by Judge Joseph C. Spero, signed 9/18/9, granting <u>125</u> Stipulated Motion for Settlement (klh, COURT STAFF) (Filed on 9/18/2009) (Entered: 09/18/2009)

09/18/2009	<u>131</u>	PROTECTIVE ORDER FOR DISCLOSURE OF RECORDS AND INFORMATION. Signed by Judge Joseph C. Spero on 9/18/9. (klh, COURT STAFF) (Filed on 9/18/2009) (Entered: 09/18/2009)
02/19/2010	<u>133</u>	MOTION for Settlement <i>Plaintiffs' Submission in Support of Final Approval of Stipulated Settlement</i> filed by Katherine Ermitano. Motion Hearing set for 3/19/2010 09:30 AM in Courtroom A, 15th Floor, San Francisco. (Attachments: # <u>1</u> Exhibit 1)(Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>134</u>	Declaration of Mark E. Merin in Support of <u>133</u> MOTION for Settlement <i>Plaintiffs' Submission in Support of Final Approval of Stipulated Settlement</i> filed by Katherine Ermitano. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Related document(s) <u>133</u> ) (Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>135</u>	Declaration of Katherine Ermitano in Support of <u>133</u> MOTION for Settlement <i>Plaintiffs' Submission in Support of Final Approval of Stipulated Settlement</i> filed by Katherine Ermitano. (Related document(s) <u>133</u> ) (Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>136</u>	Declaration of Ryanne Cozzi in Support of <u>133</u> MOTION for Settlement <i>Plaintiffs' Submission in Support of Final Approval of Stipulated Settlement ; Exhibit A</i> filed by Katherine Ermitano. (Related document(s) <u>133</u> ) (Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>137</u>	MOTION to Expedite <i>Case Management Conference</i> filed by Lionel Chatman, Contra Costa County, Contra Costa County Probation Department, Nancy Miller. Motion Hearing set for 3/19/2010 09:30 AM in Courtroom A, 15th Floor, San Francisco. (Obstler, Peter) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>138</u>	MOTION for Attorney Fees <i>Class Counsel's Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> filed by Katherine Ermitano. Motion Hearing set for 3/19/2010 09:30 AM in Courtroom A, 15th Floor, San Francisco. (Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>139</u>	Declaration of Mark E. Merin in Support of <u>138</u> MOTION for Attorney Fees <i>Class Counsel's Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> filed by Katherine Ermitano. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Related document(s) <u>138</u> ) (Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>140</u>	Declaration of Andrew C. Schwartz in Support of <u>138</u> MOTION for Attorney Fees <i>Class Counsel's Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> filed by Katherine Ermitano. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Related document(s) <u>138</u> ) (Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>141</u>	Declaration of Douglas R. Young in Support of <u>138</u> MOTION for Attorney Fees <i>Class Counsel's Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> filed by Katherine Ermitano. (Related document(s) <u>138</u> ) (Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>142</u>	Declaration of John W. Kecker in Support of <u>138</u> MOTION for Attorney Fees <i>Class Counsel's Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> filed by Katherine Ermitano. (Related document(s) <u>138</u> ) (Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>143</u>	Declaration of Jay–Allen Eisen in Support of <u>138</u> MOTION for Attorney Fees <i>Class Counsel's Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs ; Exhibit A</i> filed by Katherine Ermitano. (Related document(s) <u>138</u> ) (Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>144</u>	Declaration of Michael White in Support of <u>138</u> MOTION for Attorney Fees <i>Class Counsel's Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> filed by Katherine Ermitano. (Related document(s) <u>138</u> ) (Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)
02/19/2010	<u>145</u>	Proposed Order <i>and Judgment of Dismissal</i> by Katherine Ermitano. (Merin, Mark) (Filed on 2/19/2010) (Entered: 02/19/2010)

02/22/2010	<u>146</u>	ORDER, by Judge Joseph C. Spero, signed 2/22/10, granting <u>137</u> Dfts' Motion to Expedite a Case Management Conference. Case management conference set for 3/5/10 at 1:30 PM. Hearing date of 3/19/10 on this motion is vacated. (klh, COURT STAFF) (Filed on 2/22/2010) (Entered: 02/22/2010)
02/22/2010		Set/Reset Hearings: Case Management Conference set for 3/5/2010 at 01:30 PM in Courtroom A, 15th Floor, San Francisco. (klh, COURT STAFF) (Filed on 2/22/2010) (Entered: 02/22/2010)
02/22/2010	<u>147</u>	MOTION to Continue <i>Plaintiffs' Request for a Resetting of the Expedited Case Management Conference</i> ; [Proposed] Order filed by Katherine Ermitano. Motion Hearing set for 3/5/2010 01:30 PM in Courtroom A, 15th Floor, San Francisco. (Merin, Mark) (Filed on 2/22/2010) (Entered: 02/22/2010)
02/22/2010	<u>148</u>	Declaration of John W. Kecker in Support of <u>138</u> MOTION for Attorney Fees <i>Class Counsel's Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> , <u>142</u> Declaration in Support, <i>Amended (signed)</i> filed by Katherine Ermitano. (Related document(s) <u>138</u> , <u>142</u> ) (Merin, Mark) (Filed on 2/22/2010) (Entered: 02/22/2010)
02/24/2010	<u>149</u>	**DISREGARD. SEE NEXT ENTRY** ORDER, by Judge Joseph C. Spero, signed 2/24/10, granting <u>147</u> Plaintiff's Motion to Continue/Reset Expedited Case Management Conference. Case Management Conference prev. set for 3/5/10 at 1:30 PM has been advanced to 3/4/10 at 1:30 PM. (klh, COURT STAFF) (Filed on 2/24/2010) Modified on 2/25/2010 (klh, COURT STAFF). (Entered: 02/24/2010)
02/24/2010		Set/Reset Hearings: Case Management Conference re-set for 3/4/2010 01:30 PM in Courtroom A, 15th Floor, San Francisco. (klh, COURT STAFF) (Filed on 2/24/2010) (Entered: 02/24/2010)
02/24/2010	<u>150</u>	ORDER GRANTING PLAINTIFFS' REQUEST FOR RESETTING OF EXPEDITED CASE MANAGEMENT CONFERENCE. Case management conference date of 3/5/10 at 1:30 PM has been advanced to 3/4/10 at 1:30 PM. Signed by Judge Joseph C. Spero on 2/24/10. (klh, COURT STAFF) (Entered: 02/25/2010)
02/25/2010	<u>151</u>	Brief re <u>150</u> Order, <i>Plaintiffs' Memorandum of Points and Authorities re: Expedited Case Management Conference</i> filed by Katherine Ermitano. (Related document(s) <u>150</u> ) (Merin, Mark) (Filed on 2/25/2010) (Entered: 02/25/2010)
03/01/2010	<u>152</u>	RESPONSE to <i>Plaintiffs' Memorandum of Points and Authorities re Expedited Case Management Conference</i> by Lionel Chatman, Contra Costa County, Contra Costa County Probation Department, Jim Matheron, Nancy Miller. (Obstler, Peter) (Filed on 3/1/2010) (Entered: 03/01/2010)
03/01/2010	<u>153</u>	Reply to <u>152</u> Defendant's Response by Katherine Ermitano. (Merin, Mark) (Filed on 3/1/2010) Modified on 3/2/2010 (gba, COURT STAFF). (Entered: 03/01/2010)
03/04/2010	<u>154</u>	Minute Entry: Further Case Management Conference held on 3/4/2010 before Joseph C. Spero. (Tape #FTR 1:37 to 1:48.) (klh, COURT STAFF) (Date Filed: 3/4/2010) (Entered: 03/04/2010)
03/19/2010	<u>155</u>	Minute Entry: Motion Hearing held on 3/19/2010 before Joseph C. Spero re <u>138</u> MOTION for Attorney Fees <i>Class Counsel's Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> filed by Katherine Ermitano, <u>133</u> MOTION for Settlement <i>Plaintiffs' Submission in Support of Final Approval of Stipulated Settlement</i> filed by Katherine Ermitano. Motions granted. (Court Reporter Margo Gurule.) (klh, COURT STAFF) (Date Filed: 3/19/2010) (Entered: 03/19/2010)
03/19/2010	<u>156</u>	ORDER AND JUDGMENT DISMISSING CASE. Signed by Judge Joseph C. Spero on 3/19/2010. (klh, COURT STAFF) (Filed on 3/19/2010) (Entered: 03/19/2010)
03/19/2010	<u>157</u>	Transcript of Proceedings held on September 18, 2009, before Magistrate Judge Joseph C. Spero. Court Reporter/Transcriber Catherine Edwards, Telephone number (510) 886-2427. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerks Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from

		date of this filing. Release of Transcript Restriction set for 6/17/2010. (dj, COURT STAFF) (Filed on 3/19/2010) (Entered: 03/19/2010)
06/23/2010	<u>158</u>	Transcript of Proceedings held on 03/19/10, before Judge JOSEPH C. SPERO. Court Reporter/Transcriber Margaret "Margo" Gurule, Telephone number 415-504-4204 or margolargo@gmail.com. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerks Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 9/21/2010. (mng, COURT STAFF) (Filed on 6/23/2010) (Entered: 06/23/2010)
06/30/2010		***Deadlines terminated. Release of Transcript Restriction 06/17/2010 Date Terminated <u>157</u> Transcript. (gba, COURT STAFF) (Filed on 6/30/2010) (Entered: 06/30/2010)
01/28/2014	<u>159</u>	MOTION to Alter Judgment filed by Katherine Ermitano. Responses due by 2/11/2014. Replies due by 2/18/2014. (Merin, Mark) (Filed on 1/28/2014) (Entered: 01/28/2014)
02/18/2014	<u>160</u>	Notice of Non-Opposition to <u>159</u> Application for Modification of Order and Judgment of Dismissal by Contra Costa County (You, Jee Young) (Filed on 2/18/2014) Modified on 2/19/2014 (gbaS, COURT STAFF). (Entered: 02/18/2014)
02/21/2014	<u>161</u>	<b>ORDER, signed 2/21/2014 by Judge Joseph C. Spero denying without prejudice <u>159</u> Motion to Alter Judgment. Parties shall meet and confer and submit a proposed stipulation within ten (10) days of this Order. (klhS, COURT STAFF) (Filed on 2/21/2014) (Entered: 02/21/2014)</b>
03/03/2014	<u>162</u>	STIPULATION WITH PROPOSED ORDER <i>For Additional Time To Respond To Order Denying Without Prejudice Application For Modification Of Order And Judgment Of Dismissal</i> filed by Lionel Chatman, Contra Costa County, Contra Costa County Probation Department, Jim Matheron, Nancy Miller. (Yow, John) (Filed on 3/3/2014) (Entered: 03/03/2014)
03/05/2014	<u>163</u>	<b>Order, signed 3/5/14, by Magistrate Judge Joseph C. Spero granting <u>162</u> Stipulation For Additional Time to Respond to Order Dnying Without Prejudice Application for Modification fo Order and Judgment of Dismissal. Time extended to 3/17/14.(klhS, COURT STAFF) (Filed on 3/5/2014) (Entered: 03/05/2014)</b>
03/17/2014	<u>164</u>	ASSOCIATION of Counsel by Contra Costa County, Contra Costa County Probation Department. (Obstler, Peter) (Filed on 3/17/2014) (Entered: 03/17/2014)
03/17/2014	<u>165</u>	MOTION Modification of Order and Judgment of Dismissal re <u>160</u> Notice (Other), <u>161</u> Order on Motion to Alter Judgment, <u>156</u> Order Dismissing Case, <u>159</u> MOTION to Alter Judgment ( <i>Application for Modification of Order and Judgment of Dismissal</i> ) filed by Contra Costa County, Contra Costa County Probation Department. Motion Hearing set for 4/25/2014 09:30 AM in Courtroom G, 15th Floor, San Francisco before Magistrate Judge Joseph C. Spero. Responses due by 3/31/2014. Replies due by 4/7/2014. (Cooper, Monika) (Filed on 3/17/2014) (Entered: 03/17/2014)
03/18/2014	<u>166</u>	CLERKS NOTICE CHANGING TIME as to <u>165</u> MOTION Modification of Order and Judgment of Dismissal re <u>160</u> Notice (Other), <u>161</u> Order on Motion to Alter Judgment, <u>156</u> Order Dismissing Case, <u>159</u> MOTION to Alter Judgment ( <i>Application for Modification of Order and Judgme. Motion Hearing re-set for 4/25/2014 at 02:00 PM in Courtroom G, 15th Floor, San Francisco before Magistrate Judge Joseph C. Spero. This is a text only entry. There is no document associated with this notice . (klhS, COURT STAFF) (Filed on 3/18/2014) (Entered: 03/18/2014)</i>
03/28/2014	<u>167</u>	RESPONSE (re <u>165</u> MOTION Modification of Order and Judgment of Dismissal re <u>160</u> Notice (Other), <u>161</u> Order on Motion to Alter Judgment, <u>156</u> Order Dismissing Case, <u>159</u> MOTION to Alter Judgment ( <i>Application for Modification of Order and Judgme</i> ) filed by Katherine Ermitano. (Attachments: # <u>1</u> Exhibit 1 (list of remaining claimants))(Merin, Mark) (Filed on 3/28/2014) (Entered: 03/28/2014)
04/29/2014	<u>168</u>	Minute Entry: Motion Hearing held on 4/25/2014 before Joseph C. Spero re <u>165</u> MOTION Modification of Order and Judgment of Dismissal re <u>160</u> Notice (Other),



		<u>161</u> Order on Motion to Alter Judgment, <u>156</u> Order Dismissing Case, <u>159</u> MOTION to Alter Judgment ( <i>Application for Modification of Order and Judgment filed by Contra Costa County Probation Department, Contra Costa County. Motion granted in part, denied in part. The remaining settlement funds shall be transferred by the administrator to the Trust Account of the Law Office of Mark Merin. Mr. Merin's firm shall take reasonable steps to locate the remaining class members and pay them pursuant to the settlement. A status report shall be submitted by the Plaintiffs to the Court in two (2) years detailing what funds were paid. After two (2) years, the parties may file a renewed motion that the remaining funds go to a Cy Pres recipient. (Recording #FTR 2:04-2:13.) (klhS, COURT STAFF) (Date Filed: 4/29/2014) (Entered: 04/29/2014)</i> )
04/04/2016	<u>169</u>	STATUS REPORT <i>RE RESIDUAL SETTLEMENT FUNDS</i> by Katherine Ermitano. (Merin, Mark) (Filed on 4/4/2016) (Entered: 04/04/2016)
04/07/2016	<u>170</u>	RESPONSE to re <u>169</u> Status Report [ <i>Defendants' Response to Plaintiff's Status Report re: Residual Settlement Funds</i> ] by Contra Costa County. (Cooper, Monika) (Filed on 4/7/2016) (Entered: 04/07/2016)
04/18/2016	<u>171</u>	<b>ORDER RE DISTRIBUTION OF REMAINING SETTLEMENT FUNDS. Signed by Judge Joseph C. Spero on April 18, 2016. (jcs1c1S, COURT STAFF) (Filed on 4/18/2016) (Entered: 04/18/2016)</b>