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# U.S. District Court California Northern District (San Francisco) CIVIL DOCKET FOR CASE #: 3:97-cv-02427-SI

Doe, et al v. Wilson, et al

Assigned to: Judge Susan Illston

Demand: \$0

Cause: 42:1983 Civil Rights Act

#### **Plaintiff**

**Clementina Doe** 

Date Filed: 06/27/1997

Date Terminated: 12/16/1997

Jury Demand: None

Nature of Suit: 444 Civil Rights: Welfare Jurisdiction: U.S. Government Defendant

### represented by Linton Joaquin

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#### Silvia Argueta

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#### **Plaintiff**

#### **Guadalupe Doe**

#### represented by Linton Joaquin

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#### **Plaintiff**

#### **Sukey Doe**

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#### **Plaintiff**

Hilda Doe

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#### **Plaintiff**

#### **California Medical Association**

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#### **Plaintiff**

## **Community Health Foundation of East Los Angeles**

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#### **Plaintiff**

#### California Primary Care Association

#### represented by John T. Affeldt

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V.

#### **Defendant**

#### **Governor Pete Wilson**

in his official capacity

#### represented by Bill Lockyer

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#### **Defendant**

#### **Kimberly Belshe**

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#### Defendant

## California Department of Health Services

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#### **Defendant**

**USA** 

#### represented by David J. Anderson

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#### Sheila M. Lieber

U.S. Department of Justice Civil Division-Federal Programs Branch P.O. Box 883 Washington, DC 20044 (202) 514-3374 LEAD ATTORNEY ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text	
06/27/1997	1	COMPLAINT no Summons(es) issued; Fee status pd entered on 6/27/97 in the amount of \$ 150.00 ( Receipt No. 42990) [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 06/30/1997)	
06/27/1997	2	ORDER RE COURT PROCEDURE and SCHEDULE by Mag. Judge Phyllis Hamilton: counsels' case management statement to be filed by 10/20/97; initial case management conference will be held 10/28/97. (cc: all counsel) (cgd, COURT STAFF) (Entered: 06/30/1997)	
06/27/1997	3	STIPULATION and ORDER by Judge Charles A. Legge: for allowing plaintiffs' declarations in this action under seal It is further agreed that plaintiffs' identities will not be revealed to third parties. (cc: all counsel) [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 06/30/1997)	

06/30/1997	4	NOTICE by Plaintiff of errata [3:97-cv-02427] (gba, COURT STAFF) (Entered: 07/02/1997)		
07/02/1997		SUMMONS issued as to defendant [3:97-cv-02427] (gba, COURT STAFF) (Entered: 07/10/1997)		
07/15/1997	5	FIRST AMENDED COMPLAINT [1-1] by Plaintiff [3:97-cv-02427] (gba, COURT STAFF) (Entered: 07/15/1997)		
07/18/1997	6	STIPULATION and ORDER by Mag. Judge Phyllis J. Hamilton: that plaintiffs are allowed to proceed in this action under fictitious name and may file their declarations in this action under seal. (cc: all counsel) [3:97-cv-02427] (gba, COURT STAFF) (Entered: 07/22/1997)		
07/28/1997	7	RETURN OF SERVICE unexecuted - attempted as to defendant Pete Wilson, defendant Kimberly Belshe, defendant CA Dept Health Svcs, defendant USA [3:97-cv-02427] (gba, COURT STAFF) (Entered: 07/28/1997)		
07/28/1997		AMENDED SUMMONS issued as to defendant [3:97-cv-02427] (gba, COURT STAFF) (Entered: 07/28/1997)		
08/08/1997	8	RETURN OF SERVICE executed upon defendant Pete Wilson, defendant Kimberly Belshe, defendant CA Dept Health Svcs, defendant USA on 7/30/97 of summons and complaint by certified and first class mail [3:97-cv-02427] (gba, COURT STAFF) (Entered: 08/08/1997)		
09/19/1997	9	CLERK'S NOTICE of ADR phone conference set for 10/9/97 at 12pm [3:97-cv-02427] (bt, COURT STAFF) (Entered: 09/19/1997)		
09/19/1997	10	REQUEST by defendant Pete Wilson, defendant Kimberly Belshe, defendant Carlo Dept Health Svcs for reassignment to a United States District Judge for trial and disposition [3:97-cv-02427] (gba, COURT STAFF) (Entered: 09/25/1997)		
09/22/1997	11	EX-PARTE APPLICATION before Mag. Judge Phyllis J. Hamilton by defendant USA for leave to file exceed page limits [3:97-cv-02427] (gba, COURT STAFF) (Entered: 09/25/1997)		
09/22/1997	12	NOTICE by defendant USA of appearance and certification of service [3:97-cv-02427] (gba, COURT STAFF) (Entered: 09/25/1997)		
09/25/1997	13	CLERK'S NOTICE of impending reassignment to a United States District Judge [3:97-cv-02427] (gba, COURT STAFF) (Entered: 10/03/1997)		
09/26/1997	14	ORDER by Magistrate Judge James Larson granting motion for leave to file exceed page limits [11-1] (cc: all counsel) [3:97-cv-02427] (gba, COURT STAFF) (Entered: 10/03/1997)		
09/30/1997	15	NOTICE by defendant USA of appearance and certificate of service [3:97-cv-02427] (gba, COURT STAFF) (Entered: 10/03/1997)		
10/03/1997	16	ORDER by Assignment Committee Case reassigned to Judge Susan Illston (Date Entered: 10/3/97) (cc: all counsel) [3:97-cv-02427] (gba, COURT STAFF) (Entered: 10/03/1997)		
10/10/1997	17	MOTION with memorandum in support before Judge Susan Illston by defendant Pete Wilson, defendant Kimberly Belshe, defendant CA Dept Health Svcs to		

		dismiss with Notice set for 11/14/97 at 9:00 a.m. [3:97-cv-02427] (cs, COURT STAFF) (Entered: 10/20/1997)	
10/10/1997	18	NOTICE by defendants of filing summary of argument and evidence RE state defendants' memorandum of points and authorities in support of motion to dismiss. [3:97-cv-02427] (cs, COURT STAFF) (Entered: 10/20/1997)	
10/10/1997	19	NOTICE by defendants of filing Index to exhibits in support of state defendants' motion to dismiss. [3:97-cv-02427] (cs, COURT STAFF) (Entered: 10/20/1997)	
10/10/1997		RECEIVED Proposed Order ( defendant) re: motion to dismiss [17-1] [3:97-cv-02427] (cs, COURT STAFF) (Entered: 10/20/1997)	
10/10/1997	20	MOTION with memorandum in support before Judge Susan Illston by defendant USA to dismiss with Notice set for 11/14/97 at 9:00 a.m. [3:97-cv-02427] (cs, COURT STAFF) (Entered: 10/20/1997)	
10/10/1997	21	NOTICE by defendant USA of filing summary of argument and evidence RE defendant USA's motion to dismiss and memorandum in support. [3:97-cv-024 (cs, COURT STAFF) (Entered: 10/20/1997)	
10/10/1997	22	APPENDIX filed by defendant USA re motion to dismiss [20-1] [3:97-cv-0242 (cs, COURT STAFF) (Entered: 10/20/1997)	
10/10/1997		RECEIVED Proposed Order ( defendant USA ) re: motion to dismiss [20-1] [3:97-cv-02427] (cs, COURT STAFF) (Entered: 10/20/1997)	
10/22/1997	23	INITIAL DISCLOSURE STATEMENT by Plaintiff CA Medical Assoc [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 10/28/1997)	
10/23/1997	24	MOTION before Judge Susan Illston by defendant USA to dismiss defendant USA from this action with Notice set for Dec. 5, 1997 at 9:00a.m. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 10/28/1997)	
10/23/1997	25	MOTION before Judge Susan Illston by defendant Pete Wilson, defendant Kimberly Belshe, defendant CA Dept Health Svcs to dismiss with Notice set for Dec. 5, 1997 at 9:00a.m. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 10/28/1997)	
10/29/1997	26	CLERK'S NOTICE Initial Case Management Conference continued to 2:00 2/20/98 [3:97-cv-02427] (mcl, COURT STAFF) (Entered: 11/06/1997)	
11/07/1997	27	PROOF OF SERVICE by Plaintiff Clementina Doe, Plaintiff Guadalupe Doe, Plaintiff Sukey Doe, Plaintiff Hilda Doe of Scheduling order Initial Case Management Conference continued to 2:00 2/20/98 [26-1], clerk notice [26-2] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/14/1997)	
11/13/1997		RECEIVED Proposed Order ( Plaintiff CA Medical Assoc ) re page extension. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/19/1997)	
11/14/1997	29	SUMMARY of Argument by Plaintiff Clementina Doe, Plaintiff Guadalupe Doe, Plaintiff Sukey Doe, Plaintiff Hilda Doe in support of opposition memorandum [28-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/20/1997)	
11/14/1997		RECEIVED Proposed Order ( Plaintiff Clementina Doe, Plaintiff Guadalupe Doe, Plaintiff Sukey Doe, Plaintiff Hilda Doe ) re: opposition memorandum [28-1]	

		[3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/20/1997)	
11/14/1997	30	DECLARATION on behalf of Plaintiffs re opposition memorandum [28-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/20/1997)	
11/14/1997	31	COUNTER MOTION before Judge Susan Illston by Plaintiff Clementina Doe, Plaintiff Guadalupe Doe, Plaintiff Sukey Doe, Plaintiff Hilda Doe to certify class action and declarations. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/20/1997)	
11/14/1997		RECEIVED Proposed Order (Plaintiff Clementina Doe, Plaintiff Guadalupe Doe, Plaintiff Sukey Doe, Plaintiff Hilda Doe) re: motion to certify class action and declarations. [31-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/20/1997)	
11/18/1997	28	MEMORANDUM by Plaintiff Clementina Doe, Plaintiff Guadalupe Doe, Plaintiff Sukey Doe, Plaintiff Hilda Doe in opposition to motion to dismiss [25-1], motion to dismiss [17-1] or in the alternative for preliminary injunction. [3:97-cv-02427] (cgd, COURT STAFF) Modified on 11/21/1997 (Entered: 11/20/1997)	
11/18/1997	32	ORDER by Judge Susan Illston granting a 15 page extension of plaintiffs; opposition to motion to dismiss [0-0] ( Date Entered: 11/21/97) (cc: all counsel) [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/21/1997)	
11/20/1997	33	MEMORANDUM OF POINTS AND AUTHORITIES by defendants in opposition to motion to certify class action and declarations. [31-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/24/1997)	
11/20/1997	34	SUMMARY of Argument by defendants in support of opposition memorandum [33-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/24/1997)	
11/20/1997	35	OBJECTIONS by defendant Pete Wilson, defendant Kimberly Belshe, defendant CA Dept Health Svcs to declaration [30-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/24/1997)	
11/20/1997	36	MEMORANDUM OF POINTS AND AUTHORITIES by defendant Pete Wilson defendant Kimberly Belshe, defendant CA Dept Health Svcs in opposition to plaintiffs' opposition memorandum [28-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/24/1997)	
11/20/1997	37	SUMMARY of Argument by defendant Pete Wilson, defendant Kimberly Belshe, defendant CA Dept Health Svcs in support of opposition memorandum [36-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/24/1997)	
11/20/1997	38	DECLARATION by Glenda A. Arellano on behalf of defendant Pete Wilson, defendant Kimberly Belshe, defendant CA Dept Health Svcs re opposition memorandum [36-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/24/1997)	
11/20/1997		RECEIVED Proposed Order (defendant Pete Wilson, defendant Kimberly Belshe, defendant CA Dept Health Svcs) re: opposition memorandum [36-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 11/24/1997)	
11/21/1997	39	REPLY by defendants to its motions to dismiss [25-1], dismiss defendant USA from this action [24-1], [20-1], and [17-1] [3:97-cv-02427] (cgd, COURT	

		STAFF) (Entered: 12/01/1997)	
11/21/1997	39	OPPOSITION by defendants to plaintiff's motion to certify class action and declarations. [31-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/01/1997)	
11/21/1997	40	SUMMARY of Argument by defendants in support of opposition [39-1], in support of motion response [39-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/01/1997)	
11/21/1997		RECEIVED Proposed Order ( defendant) re: opposition [39-1], re: motion response [39-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/01/1997)	
11/21/1997	41	OPPOSITION by defendants to plaintiffs' opposition memorandum [28-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/01/1997)	
11/25/1997	42	MEMORANDUM by Plaintiff CA Medical Assoc in opposition to defendants' motion to dismiss [25-1] and in support of motion for summary judgment. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/02/1997)	
11/26/1997	43	REPLY by defendant USA in support of its motion to dismiss defendant USA from this action [24-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/03/1997)	
11/26/1997	43	OPPOSITION by defendant USA to motion to certify class action and declarations. [31-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/03/1997)	
11/26/1997	44	SUMMARY of Argument by defendant USA in support of opposition [43-1], in support of reply [43-1] [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/03/1997)	
11/26/1997		RECEIVED Proposed Order (USA) denying plaintiff's motion for summary judgment. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/03/1997)	
11/26/1997	45	OPPOSITION by defendant USA to plaintiff's motion for a preliminary injunction [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/03/1997)	
12/02/1997	46	REPLY by defendant USA re CA Medical Assoc. opposition memorandum [42-1 [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/08/1997)	
12/04/1997	47	LETTER dated 12/4/97 from Peter Robbins re informing the court and the parties that at the oral argument scheduled for 12/5/97, defendant USA may rely upon the attached decision of the Court of Appeals. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/10/1997)	
12/08/1997	48	LETTER dated 12/4/97 from John T. Affeldt, attorney for the plaintiffs re his respond to the letter from the defendant US. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/11/1997)	
12/08/1997	49	LETTER dated 12/4/97 from Peter Robbins, Trial Attorney, Federal Programs Branch, Civil Division re informing the court and the parties that at the oral argument scheduled 12/5/97. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/11/1997)	

12/09/1997	50	MINUTES: (C/R Joann Bryce) (Hearing Date: 12/5/97) Federal & State defendants' motions to dismiss - Held/Submitted. Plaintiff's counter-motion for summary judgment and for class certification - Held/Submitted. Order to be prepared by court. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 12/11/1997)	
12/16/1997	51	ORDER by Judge Susan Illston granting defendants' motion to dismiss [25-1] dismissing case for failure to establish standing; appeal filing ddl 2/5/98 ( Date Entered: 1/6/98) (cc: all counsel) [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 01/06/1998)	
01/06/1998	52	REPORTER'S TRANSCRIPT; Date of proceedings: December 5, 1997 ( C/R: 3 Ann Bryce) [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 01/09/1998)	
02/04/1998	53	NOTICE OF APPEAL by Plaintiff from Dist. Court decision Scheduling order dismissing case for failure to establish standing; appeal filing ddl 2/5/98 [51-1] Fee status \$105 paid, docketing statement enclosed. [3:97-cv-02427] (db, COURT STAFF) (Entered: 02/06/1998)	
02/06/1998		Copy of notice of appeal and docket sheet to all counsel [3:97-cv-02427] (db, COURT STAFF) (Entered: 02/06/1998)	
02/20/1998	54	REQUEST by Thomas A. Saenz for Plaintiffs for copy of transcript already ordered and completed of 12/5/97 hearing. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 02/24/1998)	
02/27/1998		CERTIFICATE of Record mailed to USCA, counsel notified. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 02/27/1998)	
06/29/1998	55	COPY of USCA Order: Appellant's motion for leave to file a substitute brief is granted. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 07/09/1998)	
02/11/1999	56	NOTICE by Plaintiff CA Primary CareAssoc of association of attorney Linton Joaqui. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 02/12/1999)	
03/08/1999	57	NOTICE by Plaintiff of association of attorney Linton Joaquin, Vibiana Andrade [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 03/10/1999)	
08/30/1999	58	CERTIFIED COPY of USCA Order: dismissing the appeal [53-1]. Pursuant to the stipulation of the parties, this appeal is voluntarily DISMISSED. Costs shall be allocated pursuant to the parties' stipulation. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 09/02/1999)	
09/02/1999	59	CLERK's letter spreading the mandate to counsel. re appeal [53-1]; VOLUNTARY DISMISSAL. [3:97-cv-02427] (cgd, COURT STAFF) (Entered: 09/02/1999)	

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Billable Pages:	7	Cost:	0.56