

(MANx), CLOSED, DISCOVERY, MANADR, RELATED-G

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF
CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:09-cv-00382-CAS-MAN**

Independent Living Center et al v. David Maxwell-Jolly
Assigned to: Judge Christina A. Snyder
Referred to: Magistrate Judge Margaret A. Nagle
Related Case: 2:08-cv-03315-CAS-MAN
Case in other court: 9th CCA, 09-55692
Cause: 28:2201 Constitutionality of State Statute(s)

Date Filed: 01/16/2009
Date Terminated: 06/01/2011
Jury Demand: None
Nature of Suit: 950 Constitutional – State Statute
Jurisdiction: Federal Question

Plaintiff

Managed Pharmacy Care
a California corporation
TERMINATED: 01/26/2009

represented by **Lynn S Carman**
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Plaintiff

Independent Living Center of Southern California, Inc.
a California corporation

represented by **Lynn S Carman**
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Stanley L Friedman
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Plaintiff

Gerald Shapiro
Pharm. D.
doing business as
Uptown Pharmacy & Gift Shoppe

represented by **Lynn S Carman**
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Stanley L Friedman
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Plaintiff

Sharon Steen
doing business as
Central Pharmacy

represented by **Lynn S Carman**
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Stanley L Friedman
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Plaintiff

Tran Pharmacy, Inc.
a California corporation

represented by **Lynn S Carman**
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Stanley L Friedman
(See above for address)
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V.

Defendant

David Maxwell-Jolly
*Director of Department of Health Care
Services of the State of California*

represented by **Eric D Bates**
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Date Filed	#	Docket Text
01/16/2009	<u>1</u>	COMPLAINT against Defendant David Maxwell-Jolly. (Filing fee \$ 350: FEE PAID.), filed by plaintiffs Sharon Steen, Tran Pharmacy, Inc., Managed Pharmacy Care, Independent Living Center of Southern California, Inc., Gerald Shapiro.(ghap) (Additional attachment(s) added on 1/21/2009: # <u>1</u> Notice of Assignment, # <u>2</u> Civil Cover Sheet) (ds). (Additional attachment(s) added on 1/21/2009: # <u>3</u> Summons) (ds). (Entered: 01/20/2009)
01/16/2009		20 DAY Summons Issued re Complaint – (Discovery) <u>1</u> as to Defendant David Maxwell-Jolly. (ghap) (Entered: 01/20/2009)
01/16/2009	<u>2</u>	CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiffs Sharon Steen, Tran Pharmacy, Inc., Managed Pharmacy Care, Independent Living Center of Southern California, Inc., Gerald Shapiro, (ghap) (ds). (Entered: 01/20/2009)
01/16/2009	<u>3</u>	NOTICE of Related Case(s) filed by plaintiffs Sharon Steen, Tran Pharmacy, Inc., Managed Pharmacy Care, Independent Living Center of Southern California, Inc., Gerald Shapiro. Related Case(s): CV-08-3315-CAS(MANx), CV-08-7045-CAS (MANx) and CV-08-7046-CAS (MANx) (ghap) (ds). (Entered: 01/20/2009)
01/16/2009	<u>4</u>	NOTICE TO PARTIES OF ADR PILOT PROGRAM filed.(ghap) (Entered: 01/20/2009)
01/20/2009	<u>5</u>	INITIAL STANDING ORDER FOR CASES ASSIGNED TO Judge S. James Otero, (bp) (Entered: 01/20/2009)
01/22/2009	<u>6</u>	PROOF OF SERVICE Executed by PLAINTIFFS Sharon Steen, Tran Pharmacy, Inc., Managed Pharmacy Care, Independent Living Center of Southern California, Inc., Gerald Shapiro, upon David Maxwell-Jolly served on 1/20/2009, answer due 2/9/2009. The Summons and Complaint were served by Personal service, by Rule 4(2)(C) FRCP statute, upon Jarol Krause, Staff Counsel, DHCS. Due Dilligence declaration No. Original Summons Was Returned. (Carman, Lynn) (Entered: 01/22/2009)
01/26/2009	<u>7</u>	NOTICE of Plaintiffs' Objections to Stay filed by Plaintiffs Sharon Steen, Tran Pharmacy, Inc., Managed Pharmacy Care, Independent Living Center of Southern California, Inc., Gerald Shapiro. (Friedman, Stanley) (Entered: 01/26/2009)
01/26/2009	<u>8</u>	NOTICE OF DISMISSAL filed by Plaintiff Managed Pharmacy Care pursuant to FRCP 41a(1) as to Managed Pharmacy Care. (Friedman, Stanley) (Entered: 01/26/2009)
01/29/2009	<u>9</u>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 08-05 –Related Case– filed. Related Case No: CV 08-3315 CAS (MANx). Case transferred from Judge S. James Otero and Magistrate Judge Patrick J. Walsh to Judge Christina A. Snyder and Magistrate Judge Margaret A. Nagle for all further proceedings. The case number will now reflect the initials of the transferee Judge CV 09-0382 CAS (MANx).Signed by Judge Christina A. Snyder (rn) (Entered: 01/29/2009)
02/02/2009	<u>10</u>	NOTICE OF MOTION AND MOTION for Preliminary Injunction re: TE ENJOIN 5% PHARMACY RATE CUT <i>AND PLAINTIFFS' MEMORANDUM IN SUPPORT OF PRELIMINARY INJUNCTION</i> filed by PLAINTIFFS Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. Motion set for hearing on 2/23/2009 at 10:00 AM before Judge Christina A. Snyder. (Carman, Lynn) (Entered: 02/02/2009)
02/02/2009	<u>11</u>	DECLARATION of SCHDULE OF DECLARANTS IN SUPPORT MOTION for Preliminary Injunction re: TE ENJOIN 5% PHARMACY RATE CUT <i>AND PLAINTIFFS' MEMORANDUM IN SUPPORT OF PRELIMINARY INJUNCTION</i> <u>10</u> filed by Plaintiffs Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Attachments: # <u>1</u> Declaration, # <u>2</u> Declaration, # <u>3</u> Declaration)(Carman, Lynn) (Entered: 02/02/2009)

02/02/2009	<u>12</u>	REQUEST FOR JUDICIAL NOTICE re MOTION for Preliminary Injunction re: TE ENJOIN 5% PHARMACY RATE CUT AND PLAINTIFFS' MEMORANDUM IN SUPPORT OF PRELIMINARY INJUNCTION <u>10</u> RE LEGISLATIVE HISTORY filed by PLAINTIFFS Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Carman, Lynn) (Entered: 02/02/2009)
02/02/2009	<u>13</u>	PROOF OF SERVICE OF SERVICE filed by PLAINTIFFS Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro, re Complaint – (Discovery), Complaint – (Discovery) <u>1</u> OF (1) NOTICE OF MOTION; MOTION; AND MEMORANDUM; (2) SCHEDULE OF DECLARATIONS; (3) REQUEST FOR JUDICIAL NOTICE RE LEGISLATIVE HISTORY, SERVED ON DEFENDANT MAXWELL–JOLLY served on FEBRUARY 2, 2009. (Carman, Lynn) (Entered: 02/02/2009)
02/02/2009	<u>14</u>	NOTICE OF LODGING filed <i>Proposed Order for Preliminary Injunction</i> re Declaration (Motion related), Declaration (Motion related) <u>11</u> , MOTION for Preliminary Injunction re: TE ENJOIN 5% PHARMACY RATE CUT AND PLAINTIFFS' MEMORANDUM IN SUPPORT OF PRELIMINARY INJUNCTION <u>10</u> , Request for Judicial Notice, Request for Relief, <u>12</u> , Proof of Service (subsequent documents), Proof of Service (subsequent documents) <u>13</u> (Friedman, Stanley) (Entered: 02/02/2009)
02/03/2009	<u>15</u>	NOTICE TO COUNSEL: This case has been assigned to Judge Christina A. Snyder. (See Notice for further details). (mmu) (Entered: 02/04/2009)
02/05/2009	<u>16</u>	EXPARTE APPLICATION for Extension of Time to File Defendant's Ex Parte Application for Order Continuing Hearing on Plaintiffs' Motion for Preliminary Injunction or, In the Alternative, Extending Time for Defendant to File an Opposition filed by Defendant David Maxwell–Jolly. (Attachments: # <u>1</u> Declaration Declaration of Michele L. Wong in Support of Defendant's Ex Parte Application For Order Continuing Hearing on Plaintiffs' Motion for Preliminary Injunction or, In the Alternative, Extending Time For Defendant to File an Opposition, # <u>2</u> Proposed Order Proposed Order Granting Defendant's Ex Parte Application For Order Continuing Hearing on Plaintiffs' Motion for Preliminary Injunction or, In the Alternative, Extending time for Defendant to File an Opposition)(Kim, Jennifer) (Entered: 02/05/2009)
02/06/2009	<u>17</u>	Plaintiffs' Opposition to Ex Parte Request to Continue Hearing and Plaintiffs' Offer to Stipulate to Give Defendant Extra Time to File Opposition Opposition re: EXPARTE APPLICATION for Extension of Time to File Defendant's Ex Parte Application for Order Continuing Hearing on Plaintiffs' Motion for Preliminary Injunction or, In the Alternative, Extending Time for Defendant to File an Opposition <u>16</u> filed by Plaintiffs Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Attachments: # <u>1</u> Proposed Order)(Friedman, Stanley) (Entered: 02/06/2009)
02/06/2009	<u>18</u>	STIPULATION for Extension of Time to File to Extend Time for Defendant to File Its Answer and/or Responsive Pleading to The Summons and Complaint filed by Plaintiff and response due from filed by Defendant David Maxwell–Jolly. (Attachments: # <u>1</u> Proposed Order Re Stipulation to Extend Time for Defendant to File Its Answer and/or Responsive Pleading to the Summons and Complaint)(Kim, Jennifer) (Entered: 02/06/2009)
02/06/2009	<u>19</u>	STIPULATION for Extension of Time to File To Extend Time to Defendant to File Opposition to Plaintiffs' Motion for Preliminary Injunction filed by Defendant David Maxwell–Jolly. (Attachments: # <u>1</u> Proposed Order ExParte to Extend Time to defendant to File Opposition to Plaintiffs' Motion for Preliminary Injunction to File Opposition)(Kim, Jennifer) (Entered: 02/06/2009)
02/06/2009	<u>20</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Notice of Lodging event utilized in docketing this filing. A Notice of Lodging is not attached to this document. This document tendered for the judge's approval should have been submitted as a separate PDF attachment to a Notice of Lodging or to the Motion, document number 14 RE: Proposed Preliminary Injunction filed 2/2/2009 <u>14</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document

		stricken or (3) take other action as the court deems appropriate. (gk) (Entered: 02/09/2009)
02/06/2009	<u>21</u>	ORDER GRANTING DEFENDANT'S EX PARTE APPLICATION FOR ORDER CONTINUING HEARING ON PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION OR, IN THE ALTERNATIVE, EXTENDING TIME FOR DEFENDANT TO FILE AN OPPOSITION by Judge Christina A. Snyder: Defendant's Request <u>16</u> is GRANTED. The time period for Defendant to file an opposition to Plaintiff's Motion for Preliminary Injunction <u>10</u> is extended to 2/13/2009. (gk) (Entered: 02/10/2009)
02/10/2009	<u>22</u>	ORDER by Judge Christina A. Snyder to Extend Time to Defendant to File Opposition to MOTION for Preliminary Injunction <u>10</u> . Defendant DAVID MAXWELL-JOLLY shall have to and including midnight of Wednesday, February 11, 2008, to file Opposition to Plaintiffs' MOTION for Preliminary Injunction. Reply shall be filed on or before February 17, 2009. (mg) (Entered: 02/11/2009)
02/10/2009	<u>23</u>	ORDER by Judge Christina A. Snyder Re Stipulation to Extend Time for Defendant to File its Answer and/or Responsive Pleading to the Summons and Complaint <u>19</u> . Defendant David Maxwell-Jolly's answer and/or responsive pleading currently due on 2/9/09 is now due on 2/19/2009. (mg) (Entered: 02/11/2009)
02/11/2009	<u>24</u>	OPPOSITION DEFENDANTS OPPOSITION TO PLAINTIFFS MOTION FOR PRELIMINARY INJUNCTION re: MOTION for Preliminary Injunction re: TE ENJOIN 5% PHARMACY RATE CUT AND PLAINTIFFS' MEMORANDUM IN SUPPORT OF PRELIMINARY INJUNCTION <u>10</u> filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Declaration PAGES 00024-00073--DECLARATION OF TOBY DOUGLAS IN SUPPORT OF DEFENDANTS OPPOSITION TO PLAINTIFFS MOTION FOR PRELIMINARY INJUNCTION, # <u>2</u> Declaration PAGES 00074-000123--DECLARATION OF TOBY DOUGLAS IN SUPPORT OF DEFENDANTS OPPOSITION TO PLAINTIFFS MOTION FOR PRELIMINARY INJUNCTION, # <u>3</u> Declaration PAGES 000124-000173--DECLARATION OF TOBY DOUGLAS IN SUPPORT OF DEFENDANTS OPPOSITION TO PLAINTIFFS MOTION FOR PRELIMINARY INJUNCTION, # <u>4</u> Declaration PAGES 000174-000233--DECLARATION OF TOBY DOUGLAS IN SUPPORT OF DEFENDANTS OPPOSITION TO PLAINTIFFS MOTION FOR PRELIMINARY INJUNCTION, # <u>5</u> Declaration PAGES 000234-00289--DECLARATIONS OF T. ALLAN HANSEN, KEVIN GOROSPE AND SUSAN FLORES IN SUPPORT OF DEFENDANTS OPPOSITION TO PLAINTIFFS MOTION FOR PRELIMINARY INJUNCTION)(Kim, Jennifer) (Entered: 02/11/2009)
02/13/2009	<u>25</u>	NOTICE NOTICE OF ERRATA RE: DEFENDANT'S OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION filed by Defendant David Maxwell-Jolly. (Kim, Jennifer) (Entered: 02/13/2009)
02/16/2009	<u>26</u>	REPLY IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION MOTION for Preliminary Injunction re: TE ENJOIN 5% PHARMACY RATE CUT AND PLAINTIFFS' MEMORANDUM IN SUPPORT OF PRELIMINARY INJUNCTION <u>10</u> filed by Plaintiffs Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Attachments: # <u>1</u> EXHIBITS A, B, C, D, E)(Carman, Lynn) (Entered: 02/16/2009)
02/16/2009	<u>27</u>	REQUEST FOR JUDICIAL NOTICE re MOTION for Preliminary Injunction re: TE ENJOIN 5% PHARMACY RATE CUT AND PLAINTIFFS' MEMORANDUM IN SUPPORT OF PRELIMINARY INJUNCTION <u>10</u> filed by PLAINTIFFS Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Attachments: # <u>1</u> EXHIBIT A - ASSEMBLY BILL 1183)(Carman, Lynn) (Entered: 02/16/2009)
02/19/2009	<u>28</u>	ANSWER TO COMPLAINT filed by Defendant David Maxwell-Jolly.(Kim, Jennifer) (Entered: 02/19/2009)

02/20/2009	<u>29</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: A concise description of the nature of the document should appear immediately below the docket number, Local Rule 11-3.8(e). RE: Reply in Support of Motion for Preliminary Injunction <u>26</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (ps) (Entered: 02/20/2009)
02/23/2009	<u>30</u>	NOTICE OF LODGING filed <i>AND LODGING OF ORDER IN SANTA ROSA MEMORIAL HOSPITAL, ET AL v DAVID MAXWELL-JOLLY</i> re Objection/Opposition (Motion related), Objection/Opposition (Motion related), Objection/Opposition (Motion related), Objection/Opposition (Motion related), Objection/Opposition (Motion related) <u>24</u> (Kim, Jennifer) (Entered: 02/23/2009)
02/23/2009	<u>31</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: No Certification of Interested Parties, Local Rule 7.1-1 RE: Defendant's Answer to Complaint filed 2/19/2009 <u>28</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (gk) (Entered: 02/24/2009)
02/23/2009	<u>36</u>	MINUTES OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION (filed 02/02/09) held before Judge Christina A. Snyder: Hearing held and counsel are present. Tentative order provided. The Court confers with counsel and counsel argue. The Court takes plaintiffs' motion under submission. The Court will issue a final ruling. Court Reporter: Laura Elias. (bm) (Entered: 03/02/2009)
02/24/2009	<u>32</u>	<i>DEFENDANT'S NOTICE</i> OF INTERESTED PARTIES of Interested Parties filed by Defendant all defendants, (Kim, Jennifer) (Entered: 02/24/2009)
02/24/2009	<u>33</u>	MINUTES OF IN CHAMBERS ORDER held before Judge Christina A. Snyder: Proceedings: Order Setting Scheduling Conference. This matter is set for Scheduling Conference on 4/20/2009 at 11:00 AM before Judge Christina A. Snyder. (mg) (Entered: 02/25/2009)
02/27/2009	<u>34</u>	ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION by Judge Christina A. Snyder: The Court GRANTS Plaintiffs' Motion for Preliminary Injunction <u>10</u> . The Court hereby orders respondent Director, his agents, servants, employees, attorneys, successors, and all those working in concert with him to refrain from enforcing Cal. Welf. & Inst. Code Section 14105.191(b)(3), as modified by AB 1183 beginning on March 1, 2009, by refraining from reducing by five percent payments to pharmacies for prescription drugs (including prescription drugs and traditional over-the counter drugs provided by prescription) provided under the Medi-Cal fee-for-service program. (gk) (Entered: 02/27/2009)
02/27/2009	<u>35</u>	JOINT STATEMENT of FURTHER OBJECTIONS TO STAY, AND TO DE FACTO STAY BY FAILURE TO ISSUE INJUNCTION, AND TO OBEY 9TH CIRCUIT MANDATE TO ACT MOTION for Preliminary Injunction re: TE ENJOIN 5% PHARMACY RATE CUT <i>AND PLAINTIFFS' MEMORANDUM IN SUPPORT OF PRELIMINARY INJUNCTION 10 IN RE 2/23/09 MOTION</i> filed by Plaintiffs Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Attachments: # <u>1</u> EXHIBITS A, B, C, D, E, F)(Carman, Lynn) (Entered: 02/27/2009)
03/02/2009	<u>37</u>	NOTICE of Related Case(s) filed by PLAINTIFFS Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. Related Case(s): 2:-0-CV-00722 (Attachments: # <u>1</u> EXHIBIT A, # <u>2</u> PROOF OF SERVICE)(Carman, Lynn) (Entered: 03/02/2009)
03/13/2009	<u>38</u>	NOTICE OF MOTION AND MOTION for Preliminary Injunction re: DEFENDANTS MOTION TO ALTER OR AMEND, AND CLARIFY ORDER GRANTING PLAINTIFFS; MOTION FOR PRELIMINARY INJUNCTION filed by Defendant David Maxwell-Jolly. Motion set for hearing on 4/6/2009 at 10:00 AM before Judge Christina A. Snyder. (Attachments: # <u>1</u> Declaration DECLARATION OF MICHELE L. WONG PURSUANT TO LOCAL RULE 7-3 IN IN SUPPORT OF DEFENDANTS MOTION TO ALTER OR AMEND, AND

		CLARIFY ORDER GRANTING PLAINTIFFS; MOTION FOR PRELIMINARY INJUNCTION)(Cardenas, Jesse) (Entered: 03/13/2009)
03/13/2009	<u>39</u>	DEFENDANTS REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANTS NOTICE OF MOTION AND MOTION TO ALTER OR AMEND, AND CLARIFY ORDER GRANTING PLAINTIFFS; MOTION FOR PRELIMINARY INJUNCTION re MOTION for Preliminary Injunction re: DEFENDANTS MOTION TO ALTER OR AMEND, AND CLARIFY ORDER GRANTING PLAINTIFFS; MOTION FOR PRELIMINARY INJUNCTION <u>38</u> filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Exhibit PAGES 000003-000025- EXHIBIT A IN SUPPORT OF DEFENDANTS REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANTS NOTICE OF MOTION AND MOTION TO ALTER OR AMEND, AND CLARIFY ORDER GRANTING PLAINTIFFS; MOTION FOR PRELIMINARY INJUNCTION, # <u>2</u> Exhibit PAGES 000026-000076-EXHIBIT B IN SUPPORT OF DEFENDANTS REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANTS NOTICE OF MOTION AND MOTION TO ALTER OR AMEND, AND CLARIFY ORDER GRANTING PLAINTIFFS; MOTION FOR PRELIMINARY INJUNCTION, # <u>3</u> Exhibit PAGES 000075-000124-EXHIBIT B IN SUPPORT OF DEFENDANTS REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANTS NOTICE OF MOTION AND MOTION TO ALTER OR AMEND, AND CLARIFY ORDER GRANTING PLAINTIFFS; MOTION FOR PRELIMINARY INJUNCTION, # <u>4</u> Exhibit PAGES 000125-000160-EXHIBIT B IN SUPPORT OF DEFENDANTS REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANTS NOTICE OF MOTION AND MOTION TO ALTER OR AMEND, AND CLARIFY ORDER GRANTING PLAINTIFFS; MOTION FOR PRELIMINARY INJUNCTION)(Cardenas, Jesse) (Entered: 03/13/2009)
03/13/2009	<u>40</u>	NOTICE OF MOTION re MOTION for Preliminary Injunction re: DEFENDANTS MOTION TO ALTER OR AMEND, AND CLARIFY ORDER GRANTING PLAINTIFFS; MOTION FOR PRELIMINARY INJUNCTION <u>38</u> filed by Defendant David Maxwell-Jolly. Motion set for hearing on 4/6/2009 at 10:00 AM before Judge Christina A. Snyder. (Cardenas, Jesse) (Entered: 03/13/2009)
03/18/2009	<u>41</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error) was found: INCORRECT EVENT SELECTED. CORRECT EVENT TO BE USED IS: REQUESTS - FOR JUDICIAL NOTICE. RE: <u>39</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (pp) (Entered: 03/18/2009)
03/23/2009	<u>42</u>	OPPOSITION TO DEFENDANT'S MOTION TO ALTER OR AMEND, AND CLARIFY FEB. 27, 2009 ORDER filed by Plaintiffs Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Attachments: # <u>1</u> EXHIBIT A TO OPPOSITION BRIEF)(Carman, Lynn) (Entered: 03/23/2009)
03/30/2009	<u>43</u>	REPLY BRIEF TO PLAINTIFF'S OPPOSITION to MOTION for Preliminary Injunction re: DEFENDANTS MOTION TO ALTER OR AMEND, AND CLARIFY ORDER GRANTING PLAINTIFFS; MOTION FOR PRELIMINARY INJUNCTION <u>38</u> filed by Defendant David Maxwell-Jolly. (Cardenas, Jesse) (Entered: 03/30/2009)
04/03/2009	<u>44</u>	MINUTES (IN CHAMBERS) by Judge Christina A. Snyder: The Court DENIES Defendant's Motion to Alter, Amend, or Clarify the Court's 2/27/2009 Order <u>38</u> . Court Reporter: Not Present. (gk) (Entered: 04/03/2009)
04/16/2009	<u>45</u>	MINUTES OF IN CHAMBERS ORDER by Judge Christina A. Snyder: On the Court's own motion, the Court continues the Scheduling Conference from April 20, 2009 to July 13, 2009 at 11:00 A.M. A Joint Report and ADR Questionnaire shall be filed on or before June 30, 2009. (ps0) (Entered: 04/16/2009)
04/30/2009	<u>46</u>	NOTICE OF PRELIMINARY INJUNCTION APPEAL filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> US Court of Appeals for the 9th Circuit C ivi; Appeals D ocketing Statement)(Kim, Jennifer) (Entered: 04/30/2009)

05/01/2009	<u>49</u>	APPEAL FEE PAID: re Notice of Appeal to 9th Circuit Court of Appeals, <u>47</u> as to Defendant David Maxwell-Jolly; Receipt Number: 118257, Paid in the amount of \$455. (lr) (Entered: 05/11/2009)
05/06/2009	<u>47</u>	NOTICE OF APPEAL to the 9th CCA filed by Defendant David Maxwell-Jolly. (Filing Fee PAID.) (Attachments: # <u>1</u> NOTICE OF ERROR IN AND CORRECTION TO DOCKET, # <u>2</u> NOTICE OF PRELIMINARY INJUNCTION APPEAL, # <u>3</u> US COURT OF APPEALS FOR THE NINTH CIRCUIT CIVIL APPEALS DOCKETING STATEMENT)(Kim, Jennifer) (Entered: 05/06/2009)
05/08/2009	<u>48</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 09-55692, 9th CCA regarding Notice of Appeal to 9th Circuit Court of Appeals, <u>47</u> as to Defendant David Maxwell-Jolly. (cbr) (Entered: 05/08/2009)
05/11/2009	<u>50</u>	NOTICE OF APPEAL NOTIFICATION form issued regarding Notice of Appeal to 9th Circuit Court of Appeals, <u>47</u> as to Defendant David Maxwell-Jolly. (lr) (Entered: 05/11/2009)
05/11/2009	<u>51</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>47</u> filed by David Maxwell-Jolly, CCA # 09-55692. The appeal filed May 6, 2009 is a preliminary injunction appeal. Accordingly, Ninth Circuit Rule 3-3 shall apply. If they have not already done so, within 7 calendar days of the filing date of this order, the parties shall make arrangements to obtain from the court reporter an official transcript of proceedings in the district court that will be included in the record on appeal. The briefing schedule is established as follows: the opening brief is due not later than June 2, 2009; the answering brief is due June 30, 2009 or 28 days after service of the opening brief, whichever is earlier; and the optional reply brief is due within 14 days of service of the answering brief. See 9th Cir. R. 3-3(b). If appellant fails to file the timely the opening brief, this appeal will be dismissed automatically by the Clerk for failure to prosecute. See 9th Cir. R. 42-1. Order received in this district on 5/11/09. (lr) (Entered: 05/13/2009)
05/18/2009	<u>52</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>47</u> filed by David Maxwell-Jolly, CCA # 09-55692. Appellant's unopposed oral motion for an extension of time to file opening brief is granted. Brief schedule set. (cbr) (Entered: 05/20/2009)
06/05/2009	<u>53</u>	STIPULATION for Order [PROPOSED] ORDER TO TAKE SCHEDULING CONFERENCE OFF CALENDAR OR, IN THE ALTERNATIVE, CONTINUE THE SCHEDULING CONFERENCE filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Proposed Order)(Kim, Jennifer) (Entered: 06/05/2009)
06/09/2009	<u>54</u>	ORDER by Judge Christina A. Snyder GRANTING Stipulation for Order <u>53</u> <u>45</u> ; Resetting Scheduling Conference for 1/11/2010 at 11:00 AM. (pp) (Entered: 06/09/2009)
08/19/2009	<u>55</u>	ORDER DENYING TRANSFER by the Judicial Panel on Multidistrict Litigation, MDL 2069, that the motion by Plaintiffs in an action in the Northern District of California (3:08-5173), pursuant to 28 U.S.C. Section 1407, for centralization of the six actions listed on Schedule A (attached) is denied. (gk) (Entered: 08/19/2009)
10/11/2009	<u>56</u>	NOTICE OF MOTION AND MOTION to Enforce INJUNCTION DATED FEBRUARY 27, 2009 AND PUBLIC MOTICE REGULATION filed by PLAINTIFFS Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. Motion set for hearing on 11/2/2009 at 10:00 AM before Judge Christina A. Snyder. (Attachments: # <u>1</u> RICHARD D. WILSON, C.P.A., DECLARATION, # <u>2</u> EXHIBITS A, B, C, D, # <u>3</u> ; YNN ROLSTON DECLARATION, # <u>4</u> EXHIBIT, # <u>5</u> EXHIBIT, # <u>6</u> THU-HANG TRAN DECLARATION, # <u>7</u> EXHIBIT A, # <u>8</u> GERALD SHAPIRO DECLARATION, # <u>9</u> EXHIBIT, # <u>10</u> DECLARATIONS)(Carman, Lynn) (Entered: 10/11/2009)
10/11/2009	<u>57</u>	REQUEST FOR JUDICIAL NOTICE re MOTION to Enforce INJUNCTION DATED FEBRUARY 27, 2009 AND PUBLIC MOTICE REGULATION <u>56</u> PLAINTIFFS' FURTHER REQUEST FOR JUDICIAL NOTICE filed by PLAINTIFFS Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Attachments: # <u>1</u> EXHIBITS A, B, C,

		D, E, F, F, H, I, J, K, L, M, N, O, P, Q,, R)(Carman, Lynn) (Entered: 10/11/2009)
10/11/2009	<u>58</u>	REQUEST FOR JUDICIAL NOTICE re MOTION to Enforce INJUNCTION DATED FEBRUARY 27, 2009 AND PUBLIC MOTICE REGULATION <u>56</u> OF DOCUMENTS IN FIRST DATABANK CASE (Attachments: # <u>1</u> EXHIBIT A, # <u>2</u> EXHIBIT, # <u>3</u> EXHIBIT B, # <u>4</u> exhibit, # <u>5</u> EXHIBIT C, # <u>6</u> EXHIBIT)(Carman, Lynn) (Entered: 10/11/2009)
10/11/2009	<u>59</u>	DECLARATION re MOTION to Enforce INJUNCTION DATED FEBRUARY 27, 2009 AND PUBLIC MOTICE REGULATION <u>56</u> DECLARATION OF PAUL LOFHOLM, PARM.D. filed by Plaintiffs Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Carman, Lynn) (Entered: 10/11/2009)
10/12/2009	<u>60</u>	NOTICE NOTICE OF LODGING OF (PROPOSED) ORDER filed by PLAINTIFFS Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. FOR NOV. 2, 2009 HEARING (Carman, Lynn) (Entered: 10/12/2009)
10/12/2009	<u>61</u>	NOTICE OF LODGING OF PROPOSED ORDER FOR NOVEMBER 2, 2009 HEARING filed by PLAINTIFFS Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Carman, Lynn) (Entered: 10/12/2009)
10/12/2009	<u>62</u>	REQUEST FOR JUDICIAL NOTICE re MOTION to Enforce INJUNCTION DATED FEBRUARY 27, 2009 AND PUBLIC MOTICE REGULATION <u>56</u> filed by PLAINTIFFS Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Attachments: # <u>1</u> EXHIBIT A, # <u>2</u> EXHIBIT: PROPOSED SETTLEMENT IN FIRST DATABANK CASE, # <u>3</u> EXHIBIT B, # <u>4</u> LIST OF 8000 BRAND DRUGS IN FIRST DATABANK CASE, # <u>5</u> EXHIBIT C, # <u>6</u> ORDER APPROVING FIRST DATABANK SETTLEMENT)(Carman, Lynn) (Entered: 10/12/2009)
10/13/2009	<u>63</u>	EXPARTE APPLICATION for Extension of Time to File Order Extending Defendant's Time to Respond to Plaintiffs' Motion to Enforce Preliminary Injunction filed, October 11, 2009 filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Supplement Memorandum of Points and Authorities in Support of Defendant's Ex Parte Application for Order Extending Defendant's Time to Respond to Plaintiffs' Notice of Motion and Motion to Enforce Injunction Dated February 27, 2009 and Public Notice Regulation, # <u>2</u> Declaration Declaration of Carmen D. Snuggs in Support of Respondent's Ex Parte Application for Order Extending Respondent's Time to Respond to Petitioners' Notice of Motion and Motion to Enforce Injunction Dated February 27, 2009 and Public Notice Regulation, # <u>3</u> Proposed Order [Proposed] Order Granting Defendant's Ex Parte Application for Order Extending Defendant's Time to Respond to Plaintiffs' Motion to Enforce Preliminary Injunction Filed October 11, 2009)(Kim, Jennifer) (Entered: 10/13/2009)
10/13/2009	<u>64</u>	OPPOSITION Opposition to re: EXPARTE APPLICATION for Extension of Time to File Order Extending Defendant's Time to Respond to Plaintiffs' Motion to Enforce Preliminary Injunction filed, October 11, 2009 <u>63</u> , MOTION to Enforce INJUNCTION DATED FEBRUARY 27, 2009 AND PUBLIC MOTICE REGULATION <u>56</u> filed by Plaintiffs Sharon Steen, Tran Pharmacy, Inc., Managed Pharmacy Care, Independent Living Center of Southern California, Inc., Gerald Shapiro. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Friedman, Stanley) (Entered: 10/13/2009)
10/15/2009	<u>65</u>	MINUTES (IN CHAMBERS) by Judge Christina A. Snyder: The Court grants in part and denies in part Defendant's Ex Parte Application for Order Extending Defendant's Time to Respond to Plaintiffs' Motion to Enforce Preliminary <u>63</u> as follows: Defendant's shall file an opposition with courtesy copies to chambers on or before 3:00 PM on 10/26/2009; Plaintiffs' shall file a reply with courtesy copies to chambers on or before 3:00 PM on 10/29/2009; and the hearing on plaintiffs' motion <u>56</u> shall remain on calendar on 11/2/2009 at 10:00 AM. Court Reporter: Not Present. (gk) (Entered: 10/15/2009)

10/15/2009	<u>66</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Document submitted in the wrong case. Document cites Case No. CV 09-03315 CAS (MANx). At least two lines of the text of any order or judgment shall appear on the page that has the line provided for the signature of the judge, Local Rule 58-10 RE: Notice of Lodging of Proposed Order filed 10/12/2009 <u>60</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (gk) (Entered: 10/15/2009)
10/15/2009	<u>67</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: At least two lines of the text of any order or judgment shall appear on the page that has the line provided for the signature of the judge, Local Rule 58-10 RE: Notice of Proposed Order filed 10/12/2009 <u>61</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (gk) (Entered: 10/15/2009)
10/26/2009	<u>68</u>	DEFENDANT'S MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO PLAINTIFFS' MOTION TO ENFORCE PRELIMINARY INJUNCTION AND REQUEST FOR SANCTIONS YES re: MOTION to Enforce INJUNCTION DATED FEBRUARY 27, 2009 AND PUBLIC MOTICE REGULATION <u>56</u> filed by Defendant David Maxwell-Jolly. (Kim, Jennifer) (Entered: 10/26/2009)
10/29/2009	<u>69</u>	REPLY IN SUPPORT MOTION to Enforce INJUNCTION DATED FEBRUARY 27, 2009 AND PUBLIC MOTICE REGULATION <u>56</u> filed by Plaintiffs Sharon Steen, Tran Pharmacy, Inc., Independent Living Center of Southern California, Inc., Gerald Shapiro. (Attachments: # <u>1</u> EXHIBITS A, B, C, D)(Carman, Lynn) (Entered: 10/29/2009)
10/30/2009	<u>70</u>	MINUTES (IN CHAMBERS) by Judge Christina A. Snyder: On the Court's own motion, Plaintiffs' Motion to Enforce Preliminary Injunction <u>56</u> is taken under submission. The Court hereby dispenses with oral argument on the above motion and will decide the motion on the basis of the papers submitted. Therefore, the parties are not to appear before this Court on 11/2/2009 at 10:00 A.M. Court Reporter: Not Present. (gk) (Entered: 10/30/2009)
11/03/2009	<u>71</u>	MINUTE ORDER (IN CHAMBERS) by Judge Christina A. Snyder Re Plaintiff's Motion to Enforce Preliminary Injunction and, also, to Stay and Preliminarily Enjoin Implementation of Payment Cuts for Lack of Public Notice (filed 10/11/09) <u>56</u> : The Court DENIES petitioners' motion to enforce the preliminary injunction, with leave to amend, and DENIES petitioners motion to stay and preliminarily enjoin the challenged practices, with leave to amend. (jre) (Entered: 11/03/2009)
12/29/2009	<u>72</u>	STIPULATION to Continue Scheduling Conference from January 11, 2010 to Off Calendar, or in the alternrative, continue to July 12, 2010 filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Proposed Order To Take Scheduling Conference Off Calendar Or, in the Alternative, Continue the Scheduling Conference)(Kim, Jennifer) (Entered: 12/29/2009)
01/04/2010	<u>73</u>	ORDER TO TAKE SCHEDULING CONFERENCE OFF CALENDAR OR, IN THE ALTERNATIVE, CONTINUE THE SCHEDULING CONFERENCE by Judge Christina A. Snyder: Upon Stipulation <u>72</u> , the Scheduling Conference is continued to 7/12/2010 11:00 AM before Judge Christina A. Snyder. (gk) (Entered: 01/06/2010)
03/25/2010	<u>74</u>	MANDATE of 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>47</u> , CCA # 09-55692. The Decision of the District Court is AFFIRMED. Mandate received in this district on 3/25/2010. (lr) (Entered: 03/26/2010)
06/22/2010	<u>75</u>	STIPULATION to Reschedule To Take Scheduling Conference Off Calendar or, in the Alternative, Continue the Scheduling Conference filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Proposed Order to Take Scheduling Conference Off Calendar or, in the Alternative, Continue the Scheduling Conference)(Wong, Michele) (Entered: 06/22/2010)

06/24/2010	<u>76</u>	ORDER TO TAKE SCHEDULING CONFERENCE OFF CALENDAR OR, IN THE ALTERNATIVE, CONTINUE THE SCHEDULING CONFERENCE by Judge Christina A. Snyder: Upon Stipulation <u>75</u> , the Scheduling Conference is continued to 10/4/2010 11:00 AM before Judge Christina A. Snyder. (gk) (Entered: 06/24/2010)
09/17/2010	<u>77</u>	STIPULATION for Hearing re Order, Set/Reset Hearing,, <u>76</u> filed by Plaintiffs Independent Living Center of Southern California, Inc., Managed Pharmacy Care, Gerald Shapiro, Sharon Steen, Tran Pharmacy, Inc.. (Attachments: # <u>1</u> Proposed Order)(Friedman, Stanley) (Entered: 09/17/2010)
09/20/2010	<u>78</u>	ORDER TO TAKE SCHEDULING CONFERENCE OFF CALENDAR OR, IN THE ALTERNATIVE, CONTINUE THE SCHEDULING CONFERENCE by Judge Christina A. Snyder: Upon Stipulation <u>77</u> , the Scheduling Conference is continued to 1/10/2011 11:00 AM before Judge Christina A. Snyder. (gk) (Entered: 09/20/2010)
09/21/2010	<u>79</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Stipulation to Take Scheduling Conference Off Calendar or, in the Alternative, Continue the Scheduling Conference filed 9/17/2010 <u>77</u> . The following error(s) was found: The PDF for the proposed order is attached as the Main Document, and the Stipulation is attached as Attachment 1. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (gk) (Entered: 09/21/2010)
12/21/2010	<u>80</u>	STIPULATION to Continue Scheduling Conference from January 10, 2011 to March 28, 2011 filed by defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Proposed Order To take scheduling conference off calendar or, in the alternative, continue the scheduling conference, # <u>2</u> Declaration of Service)(Cardenas, Jesse) (Entered: 12/21/2010)
12/29/2010	<u>81</u>	ORDER by Judge Christina A. Snyder, re Stipulation <u>80</u> . Upon the stipulation of the parties and good cause appearing, the scheduling conference set for 1/10/2011 is continued to 3/28/2011 at 11:00 AM. (vdr) (Entered: 12/29/2010)
03/11/2011	<u>82</u>	STIPULATION to Vacate <i>/to take Scheduling Conferene off Calendar or, in the Alternative, Continue the Scheduling Conference</i> filed by defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Proposed Order)(Cardenas, Jesse) (Entered: 03/11/2011)
03/15/2011	<u>83</u>	ORDER by Judge Christina A. Snyder, re Stipulation <u>82</u> to Take Scheduling Conference Off Calendar. The 3/28/2011 scheduling conference is taken off calendar. (vdr) (Entered: 03/15/2011)
06/01/2011	<u>84</u>	MINUTE ORDER IN CHAMBERS by Judge Christina A. Snyder: This action is hereby removed from this Courts active caseload until further application by the parties or order of this Court. Counsel shall file a joint report detailing the status of the case within 30 days and every quarter thereafter until the action has been reactivated on this Courts active caseload or a stipulation for dismissal is filed. (Made JS-6. Case Terminated.) (im) (Entered: 06/03/2011)
07/07/2011	<u>85</u>	STATUS REPORT <i>Joint Status Report Pursuant to the Court's Minute Order Dated June 3,2011</i> filed by Defendant David Maxwell-Jolly. (Cardenas, Jesse) (Entered: 07/07/2011)
10/06/2011	<u>86</u>	STATUS REPORT <i>Joint Status Report Pursuant to the Court's Minute Order Dated June 3, 2011</i> filed by Defendant David Maxwell-Jolly. (Cardenas, Jesse) (Entered: 10/06/2011)
04/26/2012	<u>87</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>47</u> filed by David Maxwell-Jolly, CCA # 09-55692. The parties are directed to file contemporaneous supplemental briefs in their respective cases concerning the effect of Douglas v. Independent Living Center of Southern California, Inc., 132 S.Ct.1204(2012). Briefs shall be due 45 days from the filing of this order and shall not exceed 30 pages in length. Order received in this district on 4/26/12. (car) (Entered: 04/30/2012)

05/22/2012	<u>88</u>	ORDER from 9th CCA filed, CCA # 08-56422, 08-57016, 09-55532, 09-55692. The parties' unanimous joint motion to refer Case Nos. 08-56422, 08-57016, 09-55532, and 09-55692 to mediation, and to continue the supplemental briefing schedule during the pendency of mediation [D.E. 49-1], is hereby GRANTED. Order received in this district on 5/22/12 (car) (Entered: 05/24/2012)
07/12/2012	<u>89</u>	Change of Address filed by Plaintiffs Independent Living Center of Southern California, Inc., Managed Pharmacy Care, Gerald Shapiro, Sharon Steen, Tran Pharmacy, Inc. (Carman, Lynn) (Entered: 07/12/2012)
07/12/2012	<u>90</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Miscellaneous Document <u>89</u> . The following error(s) was found: Incorrect event selected. The correct event is: Notice of change of attorney information. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (ak) (Entered: 07/25/2012)