

used

"ATTORNIES LIST"

C73 1293 AJZ

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
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Plaintiff:

(For J. L. Spain, Willie Tate, David Johnson
Hugo Pinell and Fleeta Drumgo)

Mark E. Merin,
~~518-14th Street~~ 1014 Ninth St.
Sacramento, California 95814

Fred J. Hiestand
~~Coppelman & Hiestand~~ 721 Ninth Street, Suite 100
~~1970 Broadway, Suite 1215~~ Sacramento, CA 95814
~~Oakland, Ca 94612~~

Paul Halvonik
HALVONIK & HALVONIK
2600 Tenth Street, 7th floor
Berkeley, CA 94710

Defendants;

*** ~~Evelle J. Younger~~
Attorney General

~~Jack R. Winkler,~~
~~Chief Assistant~~
~~Attorney General~~
Criminal Division
6000 State Building
San Francisco, California 94102
~~415-557-3653--~~

*** George Deukmejian
ATTORNEY GENERAL
Gordon Zane
DEPUTY ATTORNEY GENERAL
6000 State Building
San Francisco, Calia 94102
(415) 557-1721

SEALED EXHIBITS Sheets,

PHYSICAL EXHIBITS _____

FRC ACCESSION _____

BOX NO. _____

LOCATION _____

SEALED EXHIBITS _____

PHYSICAL EXHIBITS _____

FRC ACCESSION 21-82-0067

BOX NO. 20, 21, 22

LOCATION 739151

(TEMPORARY WITHDRAWAL)
for Norman Hirsch, Court of Appeals,
556-5447

~~File is located behind COURTROOM # 15~~
~~on SHELF # 32.~~

DATE	PROCEEDINGS	Date Order or Judgement Noted
973		
st 23	12. Filed Order granting mo to dismiss Pltfs action against deft Hon Henry J. Broderick is dismissed. AJZ.	
	13. Filed Ord granting motion to dismiss Pltfs action against deft Sheriff Louis Montanos is dismissed. AJZ.	
Oct 23	Ord deft's mo to dismiss case dismissed as to un-named Does and defts Montanos and Broderick contd to 11-14-73 @1:30 p.m. for further hrg and to dismiss of other defts. AJZ.	
Nov 14	14. Filed notice of related cases. C73-1696 RFP	
Nov 14	Ord Deft's mo to dismiss Contd to 11-29-73 @1:30 p.m. AJZ	
29	Ord deft's mo to dismiss- Pltfs to file amended complaint w/in 30 days contd to 1-21-74 @ 1:30 p.m. for "P/T" AJZ	
Dec 3	15. Filed Substitution of attys Mark E. Merin .	
5	Filed ct ord assigning case C73-1696 AJZ	OJZ in file C73-1293 AJZ)
ec 28	16. Filed First amended compl for declaratory and injunct relief & for damages.	
1974	17. Filed depositions of Richard A. Zitrin.	
Jan 3	18. Filed Depositions of Ruth Astle.	
	Ord on ex parte for pltfs mo for a TRO Denied, Pltfs counsel ord to file proper petition, this case to be set for OSC, and an evidentiary hrg to be held before a special Master. AJZ.	
	19. Filed Memo in support of Pltfs mo for a TRO and for an order appointing a special Master to inspect and take evidence in the San Quentin Adjustment center.	
Jan 7	20. Filed Ptn for an ord requiring defts to Show cause why a prelim injunct should not be issued and for an ord appointing a special master to hold hrgs in the San Quentin Adjustment center.	
9	21. Filed Ord dor service other than by U.S. Marshal. (Steven Schwartz,)	
Jan 11	22. Filed ord setting pre-tr conf on Jan 21, 1973 @1:30 p.m. AJZ.	
Jan 17	23. Filed ord for service other than by U.S. Marshal (William H. Soskin)	
Jan 18	24. Filed Response to petition for prelim injunct filed by Defts.	
21	25. Ordered pre-tr contd to 2-21-74 @10 a.m. for mo to dismiss and for further p/t	AJZ.
Feb 7	25. Filed notice of mo and mo to dismiss first amended complaint.	
	26. Filed notice of requirement of three-judge court and points and authorities in support thereof.	
11	27. Filed ltr of Department of Justice, dtd Feb 11, 1974 to Judge AJZ.	
Feb 15	28. Filed pltf's memo in opp to deft's mo to dismiss the first amend complt.	
Feb 21	Min Order: (1) Deft's motion to dismiss 1st amend complt Denied, (2) Deft's motion for 3 Judge Court denied w/o prej., (3) Deft's motion to dismiss as to Deft Jacobs, granted. Cont. to Feb 26-74 at 1:30 P.M. for response to stip. for referral to Special Master (AJZ)	
Feb 22	29. Filed Pltff Luis N. Talamantez motion for substitution of Attorney	
26	ORD: attys pres for special hg. Counsel's response to stip for reference to Special Master <u>not stipulated to</u> .	AJZ
	SEE SHEET "B".	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>C-73-12</u>
JOHNNY L. SPAIN et al.		LOUIS MOUNTANOS et al.	PAGE "B" OF <u>AJ</u> P
DATE	PROCEEDINGS	Date Order of Judgement No	
1974			
Feb 26	30. Filed Pltf's not of mots & mots for Ords directing defts. to permit inspection of facility, to permit platfs to be examined by their doctors, to permit joint conferences and to permit inspection of files Lodged ord permitting inspection of San Quentin Adjustment Center. Lodged ord directing physical examinations. Lodged ord directing defts to permit pltfs to hold group conference with their attys. Lodged ord requiring prod of pltfs' central files without charge.		
26	31. Filed Ord Shortening Time, hg to be set for 3-4-74@ 1:30.		AJZ
27	32. Filed Deft's Ex Parte Mot for Continuance, to ans 1st amended complaint, to 3-3-74.		
27	33. Filed letter from counsel Louis Hawkins dated 2-26-74. (Attached form for sub of attys)		
"	34. Filed Ord that the time to file an ans to amended cmplt is cont'd to 3-17-74.		AJZ
Mar 4	35. Filed Deft's Response to motions for inspection, medical examination and joint conferences and mo for protective ord. Ord; attys pres for mo hg. Pltf's mo for inspection of records-granted. Pltf's mo for physical exams-granted. (subject to deft's objections). Pltf's mo for joint conferences-granted, under provisions as set by the Court. Plt'f counsel to prepare ords accordingly.		AJZ
5	36. Filed Pltf's ORD directing defts to permit med exams etc.		AJZ
6	37. Filed ORDS permitting inspection of files without charge, Group conference, and inspection of the San Quentin Adj Center.		A
14	38. Not of mo and mo for ord adding an atty of record for pltfs to the tour of the San Quentin Adjustment Center. Hg set for 3-18-74 @ 1:30.		
"	39. Filed Ord shortening time for hg on pltfs' mo to 3-18-74 @ 1:30.		AJZ
"	Lodged ord adding an atty of record to inspection tour of the San Quentin Prison Adjustment Center.		
18	* Ord; Pltf's mo to add atty of record-denied. Deft's mo of objections to experts-denied.		AJZ
"	40. Filed Stip & Ord setting hg on objections to designation of experts. Ord that counsel for the parties shall appear before the Ct on 3-18-74 for hgs on defts' objections to pltfs designation.		
"	41. Filed Pltf's Affidavit of Mark E. Merin in supp of mo for ord improving conditions of atty-client group conferences.		
"	42. Filed Affidavit of SUSAN KAPLAN.		
"	43. Filed Affidavit of Louis S. Nelson.		
"	44. Filed Defts' ANSWER TO THE FIRST AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL.		

DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____
ENNY L. SPAIN et al	RAYMOND K. PROCUNIER et al	PAGE _____ OF _____ PAGES

DATE	PROCEEDINGS	Date Order or Judgement Noted
174		
18	45. Filed Defts' Not. of mo and mo to dismiss or for sum'ry judgment wset for 4-8-74 @ 1:30. (attached affidavit of Lt. R.A. CAMPBELL; affidavit of Correctional officer K.E. THOMAS; and exhibits.)	
25	46. Filed Pet For Writ of H.C. AD TESTIFICANDUM. (by pltfs)	
"	47. Filed Pltf's App for TRO with supporting Affidavit and Memo of Pts & Auths.	
"	Ord; Ex Parte Mo hrg. Pltf's mo for TRO-granted; counsel to submit ord. AJZ	
26	48. Filed Ord that Erlinda G. Castre be permitted by defts to participate in a joint conference between Pltfs and their attys in the meeting room previously provided by defts etc. Further ordered that Plts do not have physical contact with counsel etc. AJZ	
27	49. Filed Defts' Interrogs Re Pltfs Expert Witnesses.	
"	50. Filed Defts' Request for Reports of Physical and Mental Exams and Reports of Experts.	
4	51. Filed Pltf Luis Talmantez's Substitution of Attys. Subs MARK E. MERIN, ESQ, in the place of Louis F. Hawkins.	
5	52. Filed Pltfs' Memo in Opp to Defts' Mo to Dismiss or for sum'ry Judgment.	
8	Ord; Deft's Mo to dismiss deft Cambell-Granted. Deft's mo for sum'ry judgment as to deft Thomas-Denied. Deft's mo for damage claims-Denied w/o prejudice. Deft's mo to dismiss medical claims- Denied w/o prejudice. Deft's mo to dismiss for failure to exhaust state remedies-Denied w/o prej. Hrg con'td to 5-10-74 @ 1:30 for P/T. AJZ	
pr 10	53. Filed Ord that the complt is dismissed as to deft Campbell, that the mo for sum'ry judgment as to deft Thomas is denied, and that all other motions of defts to dismiss are denied without prejudice. AJZ	
16	54. Filed Defts' Supp'l Memo Re Status of Pltfs' Investigator.	
17	55. Filed Pltfs' Not of Mo and Mo for Ord Directing Defts to Permit Pltfs to hold two additional Joint Conferences. Hrg set for 4-19-74 @ 1:30.	
"	56. Filed Ord Shortening Time. Ordered that Pltfs be allowed to have their hrg on 4-19-74 @ 1:30. AJZ	
19	Ord; Attys pres for mo hrg. Pltf's Mo for 2 additional conferences-Granted. Cont'd to 6-17-74 @ 10:00 for evidentiary hrgs. AJZ	
"	57. Filed Ord Granting Additional Conferences(4-24-74 and 5-1-74; each from 8:30 a.m. to 12:30p.m.) AJZ	
: 30	58. Filed Pltfs' First Interrogs and Requests for Prod of Docs.	

See Sheet "C"

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE _____ OF _____ P.
DATE	PROCEEDINGS	Data Order or Judgement Not	
1974			
May 2	59. Filed Pltfs' Not of Mots and Mots For An Ord Holding Defts In Comtempt Of Court and For an Ord Directing Defts To Permit Legal Investigator Fania Davis Jordan To Participate in a Group Conf. With Pltfs. Hrg set for 5-3-74 @ 1:30.		
May 3	60. Filed memo that the confidential prison records reviewed by the Court on 5-2-74, pursuant to defts' privilege claims are in possession of Judge Zirpoli.		
May 8	61. Filed Defts' Opp to Pltfs' Motions for Joint Conf. & Related Relief and Defts Counter Mo For Protective Ord & Sanctions.		
May 9	Ord; Pltf's and Deft's Mo for sanctions- DENIED. Pltf's Mo For Further Interview-GRANTED. P/T scheduled for 5-15-74 is off calendar. Cmt'd to date to be arranged by counsel. (AJZ)		
9	62. Filed Pltfs' Answers to Defts' Interrogs.		
May 10	63. Filed Ord that Fania Jordan attend a group conf. with pltfs on 5-15-74 at San Quentin from 8:30 to 1230. Same conditions as before. (AJZ)		
May 15	64. Filed Protective Order(pltfs must provide at least 48 hrs notice to defts in advance of any proposed visit to San Quentin State Prison by any person not previously authorized either by defts or by court ord to enter said prison. etc. (AJZ)		
May 15	65. Filed Defts' Interrogs to Pltfs.		
May 22	66. Filed Stip & Ord setting P/T Conf for 5-24-74 @ 1:30.		
May 22	67. Filed Pltfs' Not of Motions and Motions. Hrg set for 6-3-74 @ 1:30 for pre-tr ords etc.		
22	68. Filed Pltfs' Pre-Trial Memo & Pre-Trial Motions.		
22	69. Filed Defts' Second Request for Medical Reports.		
May 28	Ord; P/T. All interrogs to be answered by 6-7-74. All exams to be conducted by 6-7-74 and all reports to be submitted to Atty Gen. by 6-12-74. Set for 10 days Court Tr s on 6-17-74 @ 10:00. (AJZ)		
28	70. Filed Ord Directing Pltfs to Permit Physical Exams by Defts' Physicians(Pltfs Spain, Pinell and Talmantez by Dr. Kasch; Pltfs Tate, Johnson and Drumgo by Dr. Oliba. Exams set for 5-29-74 @ 9:00) (AJZ)		
May 30	71. Filed Ord Scheduling Psychiatric and psychological interviews of pltfs by pltfs' experts and defts' psychiatrists. (AJZ)		
Jun 3	Ord; Special hrg on P/T mos.-No P/T mos filed. (AJZ)		
Jun 6	72. Filed Pltf's Pet for Writs of H.C. Ad Testificandum. (attached affidavit of Mark E. Merin in supp of pet)		
6	73. Filed Ord that the clerk iss writs of H.C. Ad Testificandum to the Warden of San Quentin directing him to produce the following names; Johnny Spain; Fleeta Drumgo, Willie Tate; David Johnson; Hugo Pinell; Luis Talamantez; Terry Campbell		

vte-1)

DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE _____ OF _____ PAGES
DATE	PROCEEDINGS	Date Order or Judgment Noted
74		
6	(73 cont'd) Robert Duren and Canal Heyhea. (AJZ)	
6	74. Filed Pltfs' Joint Affidavit in Supp of Mo to Proceed in	
	Forma Pauperis and For the Appointment of Counsel	
	Presently Voluntary Representing Pltfs.	
6	75. Filed Ord that pltfs be permitted to proceed in forma pauperis;	
	etc (see file) (AJZ)	
6	76. Filed Defts' Answers(R.K. Procunier's) to Pltfs' Interrogs.	
10	77. Filed Modified Ord re issuance of writs of H.C. ad testifi-	
	candum as to named pltf's(see file) (AJZ)	
1	78. Filed Pltfs' Mo for Ex Parte Ord.(Attached affidavit of	
	Mark E. Merin and proposed ord.)	
1	79. Filed Pltfs' Answers to Defts' Interrogs.	
11	80. Filed Ord that defts permit atty Mark E. Merin to confer	
	with Pltf etc.	
12	81. Filed Civil Subp On Ret as to Raymond K. Procunier-Executed	
	on 6-10-74.	
12	82. Filed Civil Subp on ret as to Officer A.C. Brum, Jr.-Executed	
	on 6-6-74.	
12	83. Filed Civil Subp on ret as to Officer A.A. Read-Executed on	
	6-6-74.	
12	84. Filed Defts' Not of Submission of Medical Reports Pursuant	
	to Court Ord.	
12	85. Filed Answers of Deft Nelson to Pltfs' Interrogs.	
13	86. Filed Civil Subp. to Officer K.E. Thomas On Ret-Executed	
	on 6-12-74.	
14	87. Filed Pltfs' Response to Defts' Request for Prod of Medical	
	Reports.	
14	88. Filed Pltfs' Not of Submission of Psychiatric and Psychological	
	Experts' Reports Pursuant to Court Ord.	
14	89. Filed Defts' Not of Mo, 6-17-74 @ 9:30, and Mo to Reconsider	
	Ruling Re In-Court Removal of Shackles and for a Protective	
	Ord.	
14	90. Filed Acknowledgment of Receipt of Records(Reporter's	
	Transcript of 1-11-74 in the case entitled, People v. Stephen	
	Mitchell Bingham, et al, Marin County Superior Court No.	
	4094)	
14	Lodged Reporter's Transcript as described in docket entry No. 90.	
17	91. Filed Civil Subp. on ret. to Sgt. Copus exec. as to, a complete	
	set of chains, shackles, etc. 6-17-74	
un 17	<u>Min Order Evidentiary Hearing</u> , Johnny Spain, Charles Garry & Dr. Corey WAXX	
	Weinstein were called by the Pltff's sworn, & testified on behalf of	
	the d pltff/s. Pltff's & Deft's introduced Exhibits. Ordered further	
	evidentiary hearing cont's to June 18-74 at 10 A.M. (AJZ)	
n 17	92. Filed Deft's notice of submission of Psychiatric Reports--	
n 18	<u>Min Order</u> Further evidentiary hearing case resumed, Johnny Spain recalled	
	for further testimony, Pltff's exhibits introduced, Deft exhibits introduced	
	Adjournment of caase contd to June 19-74 at 10 A.M. (AJZ)	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE _____ OF _____ P
DATE	PROCEEDINGS		Date Order or Judgement Not
1974			
Jun 18.	93. Filed Order the order of this court filed June 6-74 was modified by subsequent order filed June 10-74 is hereby further modified in accordance with the express reservation contained therein as follows: the following name prisoner x (DRUMGO) on June 19-74 at 10 A.M. shall be produced in the holding cell on the 20th floor of the Federal Bldg., 450 Golden Gate Ave. S.F. CA on hour prior to the time set opposite their names on the dates indicated, instead of at the time & date indicated in the order hereby modified, DRUMGO on June 19, 1974 at 10 A.M. (AJZ)		
Jun 18	94. Filed Return of Civil Subpoena executed as to Counsellor Joe S. Hare on 6-18-74.		
June 18	95. Filed Psychiatric Report by Diane Joyce Sutton, M.D.		
June 19	ORD; Further Evid Hrg; Drumgo and Inez Williams were called by the Pltf's, sworn and testified on behalf of the Pltf's, exhibits were introduced by Pltf & Deft and admitted in evidence, the courts exhibits 1 & 2 marked and received; Ordered fur hrg case cont'd to 6-20-74 @ 10:00 (AJZ)		
June 20	96. Filed Ord of 6-18-74 on ret. exec.		
June 20	97. Filed Ord of 6-6-74 on ret. exec as to Fleeta Drumgo		
June 19	98. Filed Ord of 6-6-74 on ret. exec as to Johnny L. Spain		
June 21	Ord; Further Evid hrg; Willie Tate, Dr. Richard Fine were called by the Pltf and testified on behalf as did Cederic V. Jackson Exhibits were introduced and admitted in evidence by both Pltf. and Deft.; Court's exhibit #3 was marked. Case cont'd to 6-21-74 @ 10:00 AJZ		
"	Ord; Fur. Evid. Hrg; Hugo A. Pinell and Dr. Sumner Kalman were called by Pltf. and testified in his behalf; Exhibits introduced; case cont'd to 6-24-74 @ 10:00 AJZ		
"	99. Filed Civil Subp. on ret.. exec. as to William Whitney 6-20-74		
"	100. Filed Deft's supplement to ANS of Deft Nelson		
June 24	Ord; Fur Evid Hrg; Testimony, exhibits.. Case cont'd to 6-25-74 @ 1:00 AJZ		
June 25	101. Filed Ord of 6-6-74 on ret.. exec as to Willie Tate		
"	102. Filed Ord of 6-6-74 on ret.. exec as to Hugo Pinell		
June 25	Ord; Fur Evid Hrg; Testimony, exhibits, Case cont'd to 6-26-74 @ 10:00 AJZ		
June 26	103. Filed ord of 6-6-74 on ret. exec as to Hugo Pinell, chage from 10:00 to 1:00PM		
June 26	104. Filed letter from Pltf. Spain RE Mo for co-counsel		
June 26	Ord; Fur. Evid. Hrg; Testimony, Exhibits, case cont'd 6-27-74 @ 10:00 AJZ		
June 27	105. Filed Deft's Applic in compliance with court ord request admission of exhibit AV into evidence		
June 27	Ord; Fur Evid Hrg; Testimony, Exhibits, case cont'd to 7-1-74 @ 11 am AJZ		
June 27	106. Filed Order RE Dr. Philip Zimbardo, Professor of Psychology at Stanford University, to interview Pltf. at San Quentin Prison on 6-29-74 from 9-10 am. AJZ		
July 1	107. Filed Order of 6-6-74 on ret.. exec as to Hugo Pinell		

OVER

DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE _____ OF _____ PAGES
Spain, et al,	Procunier, et al	
DATE	PROCEEDINGS	Date Order or Judgement Noted
July 1	Ord; Further Evid. Hrg., Testimony, Exhibits,; Cont'd to 7/2/74	AJZ
July 2	Ord; Fur. Evid. Hrg., Testimony, Exhibits,; cont'd to 7/3/74 @ 10:00	AJZ
July 3	108. Filed Ord of 6/6/74 on ret. exec as to David Johnson	
July 3	Ord; Further evid. hrg; fur test testimony; exhibits, cont'd to 7-8-74 @ 10:00.	
July 8	ORD: Fur. Evidentiary Hearing...Evid. Introd. Cont. to 7/9/74, 10am	AJZ
July 9	109. Filed Marshal's Ret. on Ord to Produce R. Duren EXE.	
	110. Filed Marshal's Ret. on Ord to Produce L.Talamantez EXE.	
July 9	Ord; Further evidentiary hrg resumed. Witnesses and exhibits. Cont'd to 7-10-74 @ 10:00 for further evidentiary hrg.	(AJZ)
July 10	Ord; Further evid. hrg. Witnesses and exhibits. Cont'd to 7-11-74 @ 10:00.	(AJZ)
July 11	ORD: Fur Evid. Hg., Evid. Introd., cont. to 7/12/74, 9:30	AJZ
July 12	Ord; Fur Evid. Hrg. Witnesses, exhibits; cont'd to 7-15-74 @ 2:00.	(AJZ)
July 15	Ord; Fur Evid Hrg. Witness, Exhibits. Cont'd to 7-16-74 @ 10:00.	(AJZ)
July 16	Ord; Fur Evid. Hrg. Witness, Exhibits. Cont'd to 7-23-74 @ 10:00.	(AJZ)
July 17	111. Filed Defts' Mot of Mo and Renewal of Mo to Dismiss or in the alternative for sum'ry judgt. Hrg set for 7-23-74 @ 1:30.	
July 22	112. Filed Pltff's Memo in opposition to deft's Motion to dismiss	
July 23	ORD; Fur evid hrg. Witness, Exhibits, testimony, Case cont'd to 7/24/74 @ 10:00	AJZ
July 24	ORD; Fur evid hrg. Witness, exhibits, testimony, Case cont'd to 8/5/74 @ 11:00	AJZ
Aug 5	Ord; Fur evid hrg. Testimony, exhibits, Case cont'd to 8/6/74 @ 10:00	AJZ
Aug 6	Ord; Fur evid hrg. Testimony, exhibits, Case cont'd to 8/7/74 @ 2:00	AJZ
Aug 7	Ord; Fur evid hrg. Testimony, case cont'd to 8/8/74 @ 10:00	AJZ
Aug 8	Ord; Fur evid hrg. Testimony, exhibits, Case cont'd to a date to be arranged by counsel.	(AJZ)
Aug 13	Ord; Fur Evid Hrg; Exhibits; Testimony; Cont'd to 8/14/74 @ 10:00	AJZ
Aug 14	Ord; Fur evid Hrg; Testimony; Exhibits; Cont'd to a date two weeks after preparation of R/T's for post hrg conf.	AJZ
Aug 15	113. Filed Pltff's " Dismissal of counsel on grounds of counsel being ineffective; Pltff. proceeding in Propria Persona, will present additional Mo's related to the above dismissal."	
Aug 20	114. Filed Pltff's (Tate, Spain, Pinell, Hojnson, Frumgo, Talamatez) applic for TRO & Ord shortening time with supporting affidvt's and memo of pts & auth	
Aug 21	115. Filed Order RE Shortening time on hrg of applic of TRO, hrg set for 8/26/74 @ 1:30	AJZ
Aug 26	116. Filed Deft's Opposition to applic for TRO	
	See Sheet "E"	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
Spain, et al		Procunier, et al	PAGE _____ OF _____ P
DATE	PROCEEDINGS	Date Order or Judgement Not	
Aug 26	Ord; Pltf's Mo for TRO. Denied without prejudice. Deft's counsel to submit ord accordingly. AJZ		
Aug 28	117. Filed Ord denying TRO without prejudice. AJZ		
Sep 9	118. Filed ORDER Counsel for Pltf may w/draw volumes of trans. of Proceedings as volumes are lodged by reporter	AJZ	
	119. Filed ORDER KENNETH D. BRITT, Acting Warden of Ca. State Prison at San Quentin is added as deft	AJZ	
Sept 10	120. Filed ORD: defts to permit pltfs to meet w/their attys & legal investigators in group conferences to review transcripts of evid. presented by defts	-AJZ	
Sep 13	121. Filed copy of Reporter's Transcript of July 23, 1974		
	122. Filed receipt by pltfs' atty for Transcript of 7/23/74		
	123. Filed copy of Reporter's Transcript of July 24, 1974		
	124. Filed receipt by pltfs' atty for Transcript of 7/24/74		
Sep 16	125. Filed Deft's Objection to Ord granting additional joint conferences		
18	126. Filed copy of Reporter's Transcript of Aug. 5, 1974		
19	127. Filed receipt by Pltf's Atty for transcript of Aug 5, 1974		
19	Transcript of 8/5/74 returned		
26	128. Filed copy of Reporter's Transcript of Aug. 6, 1974		
"	129. Filed copy of Reporter's Transcript of Aug. 7, 1974		
27	130. Filed receipt by Pltf's atty for R/T's of Aug 6 & 7, 1974		
30	R/T 121, 123, 128, & 129 returned		
Oct 1	131. Filed copy of R/T's of Aug. 8, 1974		
"	132. Filed copy of R/T's of Aug. 13, 1974		
" "	133. Filed copy of R/T's of Aug. 14, 1974		
2	134. Filed receipt by Pltf's Atty for transcript of Aug 8, 13, 14, 1974		
3	R/T 131, 132, & 133 returned		
22	135. Filed Pltf's association of counsel		
22	136. Filed copy of ord from the 9th CCA RE Pinell and Talamantez are granted leave to join in the petition for rehearing. Insufficient grounds to support the issuance of an extraordinary writ having been shown, the petition for rehearing of the order of this court is denied. Leave to proceed in forma pauperis is denied.		
Nov 22	137. Filed Order RE Deft's shall permit Pltf's to meet in groups with the counsel of record, AJZ		
1975			
Jan 24	138. Filed Ord RE Deft to permit Pltf to meet in a group conference on 1/28/75 @ 8 am. -AJZ		
27	139. Filed Stip for setting of conf 1/31/75 @ 2:30.		
31	ORD: Spec Hrg; Post Trial Conf. Cont'd to 2/7 @ 1:30 for fur hrg. Cont'd to 4/18 @ 1:30 for submission. -AJZ		
Feb 4	140. Filed deft' memo RE Submission of fur doc evidence		

OVER

DOCKET CONTINUATION SHEET

PLAINTIFF Johnny L. Spain et al	DEFENDANT Raymond K. Procunier et al	DOCKET NO. C-73-1293-AJZ PAGE ____ OF ____ PAGES
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TE	PROCEEDINGS	Date Order or Judgement Noted
4	141. Filed Pltff's cert of counsel	
	142. Filed Ord short time to hr pltf's Mo for outdoor exercise, etc 2/19 @1;30. -AJZ	
4	143. Filed Pltff's Not. of Mo for ord directing deft's permit pltf's outdoor exercise, 2/19/75 @1;30	
6	144. Filed deft's memo re submission of documen evid in respo to pltfs rebuttal evid	
10	ORD: fur post-tr, deft's exbts sub & adm except ES-EW court reserved ruling -AJZ	
19	145. Filed deft's opp to Mo for Ord's directing that outdoor exercise and contact visits w/o restraints, etc	
"	ORD: Pltff's Mo's for outdoor exercises, and for visits, cont'd to 2/26 @1;30. -AJZ	
26	ORD: Pltff's Mo for outdoor exercise & visits w/o constraints cont'd to 3/14 @10. -AJZ	
3	146. Filed Pltff's Post Trial Memo, proposed findings of fact	
14	147. Filed ORD: adding Jiro J. Enomoto, and Robert M. Rees as defts in this case -AJZ	
14	ORD: pltf's mo for outdoor exercise and visits to restaurants not entered by court at this time, Counsel to proceed on briefs, deft to submit 30 day progress reports -AJZ	
14	148. Filed letter from warden R. M. Rees to J. J. Enomoto.	
2	149. Filed deft's ex parte mo for 2 day continuance to 4-4-75	
3	150. Filed ORD granting continuance to 4-4-75 to file deft's brief	
r 4	151. Filed Deft's brie with proposed Findings of facts & conclusions of law	
r 14	152. Filed Deft's 1st progress report Re Outdoor Exercis & Visits	
r 29	153. Filed Pltff's Reply Brief	
2	154. Filed Deft's Memor of supplemental Authorities	
12	155. Filed Deft's 2nd progress report re: outdoor exercise & visits	
ay 19	156. Filed Deft's report of new decisions	
11	157. Filed Deft's 3rd Progress Report Re Outdoor Exercise & Visits	
1 11	158. Filed Deft's Fourth RE Progress Report Re: Outdoor Exercise & Visits (
1 30	159. Filed Pltff's Citation of Supplemental Authority	
g 12	160. Filed Deft's fifth progress report Re: Outdoor exercise & visits	
18	161. Filed Deft's Sixth Progress Report Re outdoor exercise & Visits	
16	162. Defendant's 7th Progress Report Re Outdoor Exercise & Visits	
13	163 Defendant's 8th progress Report Re Outdoor Exercise & Visits	
15	164 Defendant's 9th progress Report Re Outdoor Execrcise & Visits	
15	165 Memorandum Opinion (AJZ)	
c 19	166 Defendants notice of motion & motions for Clarification & Modification of opinion & for stay of entry of Judgment pending Clarification & modification set for Jan 9-75 @ 1:30 pm Memorandum	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____
		PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
1975 Dec 23	167	Defendants' notice of disapproval of the form of Judgment
1976 Jan 6	168	Defendant's supplemental Memorandum Re Motion for Clarification & Modification set for Jan 9-76 With Exhibits: A, B, C, & D ATTACHED
Jan 7	169	Plaintiffs memorandum in opposition to Defendant's motions for Clarification & Modification of Opinion & for stay of entry of Judgment Pending Clarification & Modification
Jan 9	170	Minute Order -- Defendant motion so clarify and modify opinion of Dec 15-75 -- GRANDTED in part -- DENIED in part -- Defn Defendant motion so stay entry of Judgment -- Judgment to be entered within 7 days -- Hearing continued to 1:30 pm on Jan 15-76 on motion for stay order (AJZ)
Jan 14	171	Order modifying Memorandum opinion (A- of December 15-75 (AJZ)
Jan 15	172	Entered Judgment of Jan 14-76: <ol style="list-style-type: none"> 1. That unless within 30 days of actual or constructive notice of the entry of judgment in this case, or within 10 days of the termination of the criminal proceedings against plaintiffs presently being conducted in the Superior Court of the State of California, in & for the County of Marin, whichever occurs first, plaintiffs Johnny Spain, Fleeta Drumgo Luis Talamantez, David Johnson, & Hugo Pinell are accorded a properly notice disciplinary hearing with the due process protections prescribed by the Ninth Circuit in Clutchette v. Procunier, 497 F.2d 807, as modified in 510 F.2d 613 (9th Cir. 1975), defendants shall release said plaintiffs to the general propulation of a prison to be selected by the prison authorities 2. 2. That absent an actual or imminent threat of death or bodily harm or escape, an actual & imminent threat of serious damages to a substantial amount of valuable property, or an actual or incipient riot involving a large number of unconfined inmates, the use of tear gass against inmates constitutes cruel & unusaul punishment & defendants and all their successors in office shall immediatley & hereafter desist & refrain from the use of gas or otherharmful chemical agents against plaintiffs except in the enumerated circumstances;

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PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1976			
Jan 14	172	Continue	
		<p>3. That the use of neck chains constitutes cruel & unusual punishment & defendants and their successor in office shall immediately & hereafter desist & refrain from the use of neck chains against plaintiffs;</p> <p>4. That the use of other mechanical restraints other than handcuffs constitutes cruel & unusual punishment unless an inmate acts in such a violent or otherwise dangerous manner as to present an actual or imminent threat of bodily harm or escape & defendants & there their successors in office shall immediately & hereafter desist and refrain from the use of other mechanical restraints, except handcuffs, against plaintiffs except in above enumerated circumstance;</p> <p>5. That the denial of fresh air and regular outdoor exercise & recreation constitutes cruel & unusual punishment & that, weather permitting, defendants & there their successors in office shall immediately & hereafter accord plaintiffs the privilege of at least one hour a day of outdoor exercise or recreation for five days a week; or the equivalent thereof upon proper notice, unless such privilege is denied a plaintiff for a period not to exceed ten consecutive days after a noticed disciplinary hearing with appropriate due process protections;</p> <p>6. That the petition of counsel for plaintiffs for attorneys and costs shall be set for hearing before the court upon the giving of proper notice; and</p> <p>7. That this court shall retain jurisdiction of this case until further order of the court (AJZ)</p>	
Jan 15	173	<p>Notice of Appeal by Defendants to 9th CCA</p> <p>Notice sent to Counsel of Record, Court of Appeals & Court Reporter</p>	
	174	<p>Defendants motion for Stay of Execution of Judgment Pending Appeal & Order Shortening Time to Hear Motion for Stay set for Jan 15-75 @ 1:30 pm</p>	
	175	Order Denying Stay Pending Appeal (AJZ)	
	176	Minute Order -- Defendant motion for stay pending appeal -- Denied -- Counsel to prepare Order (AJZ)	
Jan 21	177	EVIDENTIARY HEARING. MINUTES	

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1976			
Jan 22	178.	Defendants' ORDER for reporter's transcripts.	
	179.	Appellant's Designation of Record on Appeal.	
Feb 3	180	Defendants' tenth progress report re outdoor exercise and visits.	
Feb 4	181	Appellee's Designation of Record on Appeal.	
Feb 5	182	Defendant's notice of motion and motion for corrective relief from judgment and for order shortening time to hear such motion, as to 2-9-76, memorandum in support of motion.	
Feb 6	183	Notice Defendant's notice of motion and motion to stay disciplinary hearings pending completion of state criminal trial and for Order shortening time to hear such motion. as to 2-9-76, @1:30 PM.	
Feb 9	184	MINUTE ORDER: Defendants motion to correct judgment-granted in part, submitted in part; Defendant's motion to stay disciplinary hearings - granted (stay to 10 days after trial) Order signed. AJZ	
	185	ORDER: granting stay of order and judgment filed 1-14-76, until ten days after the termination of plaintiffs' state criminal trial in Marin Count. AJZ	
Feb 10	186.	ORDER correcting judgement. -AJZ	
Feb 10	187.	ORDER correcting order of modification. -AJZ	
Feb 18	188.	Reporter's transcript of 6-17-74, Vol. I, in an original and one copy.	
	189.	Reporter's transcript of 6-18-74, Vol. II, in an original and one copy.	
	190.	Reporter's transcript of 6-19-74, Vol. III, in an original and one copy.	
	191.	Reporter's transcript of 6-20-74, Vol. IV, in an original and one copy.	
	192	Reporter's transcript of 6-21-74, Vol. V, in an original and one copy	
	193	Reporter's transcript of 6-24-74, Vol. VI, in an original and one copy.	
	194	Reporter's transcript of 6-25-74, Vol. VII, in an original and one copy.	
	195	Reporter's transcript of 6-26-74, Vol. VIII, in an original and one copy.	
	196	Reporter's transcript of 6-27-74, Vol. 9, in an original and one copy.	
	197	Reporter's transcript of 7-1-74, Vol. 10, in an original and one copy.	
	198	Reporter's transcript of 7-2-74, Vol. 11, in an original and one copy.	

(OVER)

FEDERAL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
1976 Feb 18	199	Reporter's transcripts of 7-3-74, Vol. 12, in an original and one copy.
	200	Reporter's transcript of 7-8-74, Vol. 13, in an original and one copy.
	201	Reporter's transcript of 7-9-74, Vol. 14, in an original and one copy.
	202	Reporter's transcript of 7-10-74, Vol. 15, in an original and one copy.
	203	Reporter's transcript of 7-11-74, Vol. 16, in an original and one copy.
	204	Reporter's transcript of 7-12-74, Vol. 17, in an original and one copy.
	205	Reporter's transcript of 7-15-74, Vol. 18, in an original and one copy.
	206	Reporter's transcript of 7-16-74, Vol. 19, in an original and one copy.
	207	Reporter's transcript of 7-23-74, Vol. 20, in an original and one copy.
	208	Reporter's transcript of 7-24-74, Vol. 21, in an original and one copy.
	209	Reporter's transcript of 8-5-74, Vol. 22, in an original and one copy.
	210	Reporter's transcript of 8-6-74, Vol. 23, in an original and one copy.
	211	Reporter's transcript of 8-7-74, Vol. 24, in an original and one copy.
	212	Reporter's transcript of 8-8-74, Vol. 25, in an original and one copy.
	213	Reporter's transcript of 8-13-74, Vol. 26, in an original and one copy.
	214	Reporter's transcript of 8-14-74, Vol. 27, in an original and one copy.
	215	Reporter's transcript of 1-9-76, 1-15-76, Vol. 28, in an original and one copy.
	216	Reporter's transcript Master Index, in an original and one copy, for 28 volumes of transcripts filed 2-18-76.
Feb 23	217	ORDER extending time for transmission of the record on appeal. 4-14-76
Feb 25	218	ORDER OF SUPREME COURT OF THE UNITED STATES: Judgment entered on 1-14-76 and amended on 2-9-76 is stayed pending referral and order by the full Court.
		AJZ WHR S E E " H "

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1976			
Mar 10	219	Received letter from U.S. Supreme court re #218.	
Mar 11		Sent MAILED RECORD ON APPEAL TO 9th CCA.	
Mar 15		Received letter explaining Supreme court decision.	
Mar 23		Receipt from appellant for copy of clerk's record on appeal.	
	219.	Appellant's supplemental designation of record on appeal.	
	220.	Appellant's supplemental request for reporter's transcript.	
	221.	Receipt from 9th CCA for record on appeal.	
Mar 25	222.	Reporter's transcript of 2-9-76, original and 1 copy.	
Mar 31		MAILED SUPPLEMENTAL RECORD ON APPEAL TO 9th CCA, COPIES TO COUNSEL OF RECORD.	
Apr 5	223	Appellants' receipt of record on appeal.	
Apr 5	224	Appellees' receipt of record on appeal. 76-1096	
	225	9th CCA's receipt of record on appeal.	
1977			
Jul 7	226	Reporter's Transcript - 1-3-74	
7	227	Reporter's Transcript - 3-18-74	
7	228	Partial REPORTER'S TRANSCRIPT, 7-23-74	
1979			
Aug 20	229.	Received Certified Judgment from U.S.C.A. The judgment of the District Court is remanded for further proceedings. Spread the mandate. Case reopened.	
Sep 21*			
Oct 25	230	Clerk's order setting conference for status report etc. 12-4-79 at 1:30 P.M.	
Sep 21*	231	Received from 9th CCA one (1) envelope of Exhibits and one(1) envelope of Sealed Exhibits - reporters transcript returned #188 thru 216 and #222.	
Nov 29		Received stipulation for continuance of status conference	
Dec 3	232	Stipulation and ORDER: Status conference continued to 1/9/79 @ 1:30 AJZ	
1980			
Jan 3	233	MINUTES: Status conference, continued, to 2/5/80 @ 1:30 for further status conference. (W. Harris) AJZ	

OVER

PLAINTIFF SPAIN	DEFENDANT PROCUNIER	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
1980		
Feb 5	234	MINUTES: Status conference, Continued to 3/20/80 @ 1:30 for further status conference. (R. Jorstad) AJZ
Mar 20	235	MINUTES: Further status conference, continued 4/10/80 @ 1:30 (S. Linkerman) AJZ
Apr 10	236	MINUTES: Further status conference, Counsel not present, Continued to 4/22/80 @ 1:30 (R. Linkerman) AJZ
Apr 22	237	Stipulation and ORDER: This action for injunctive and declaratory relief shall be DISMISSED with prejudice, subject to the right of plaintiffs to file a petition with this Court to seek enforcement of the provisions of subparagraphs 1 and 2 of this Order and subject to the right of Plaintiffs to proceed with trial of their damage claims previously severed. AJZ
Apr 22	238	MINUTES: Further status conference, stipulation and order of dismissal submitted and signed. (W. Harris) AJZ
1981		
Jan 13	239	Plaintiffs notice of motions and motions to add party defendants and order payment of attorneys' fees, 2/17/81 @ 1:30
13	240	Plaintiffs memorandum of law in support of motion to compel payment of previously court awarded attorneys' fees
13	241	Plaintiffs declaration of Fred J. Hiestand in support of motions for attorneys' fees award
13		Received plaintiffs proposed order re #239
Feb 6	242	State Controller's response to motion to add the State Controller as a defendant in this action
Feb 6	243	State Treasurer's response to motion to add the State Treasurer as a defendant in this action
Feb 9	244	State Department of Corrections response to add the State Director of the Department of Corrections as a defendant in this action
Feb 10	245	State of California's supplemental memorandum of points and authorities in opposition to motion to add State Controller and Director of Corrections as defendants in this action

SEE SHEET "I"

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
SPAIN		PROCUNIER	PAGE ____ OF ____ PAGE

DATE	NR.	PROCEEDINGS
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1981		
Feb 17	246	MINUTES: Plaintiffs motion to add party defendants and for attorneys fees GRANTED. Attorney's fees in the amount of \$6,318. Order signed. (W. Harris) AJZ
Feb 17	247	Plaintiffs supplemental memorandum of law in support of motion to compel payment of attorney's fees
Feb 17	248	Plaintiffs affidavit of Mark E. Merin in support of motion for order for attorneys' fees
Feb 17	249	ORDER: That Ken Cory, Controller of the Stat of California; Jesse M. Unruh, Treasurer of the State of California; Ruth Rushe Director of the California Department of Corrections, be and hereby are made parties to this action, etc. See document
Feb 18	250	Clerk's notice of hearing, set for 2/27/81 @ 1:30
Feb 26	251	State Defendants declaration of Gordon Zane
Feb 27	252	MINUTES: Hearing re process continued to 3/6/81 @ 1:30 for further hearing. (J. Bryce) AJZ
Mar 3	253	State defendants reply to supplemental memorandum of points and authorities
Mar 6	254	MINUTES: Further hearing re process, Counsel to submit revised or (W. Harris) AJZ
Mar 10	255	AMENDED ORDER: That Kenneth Cory, Controller of the State of California; Jesse M. Unruh, Treasurer of the State of California; and Ruth Rushen, Director of the California Department of Correct be and are hereby made parties to this action, and shall be summoned to appear herein by the United States Marshall by being served a copy of this order, and upon being added as parties to this litigation shall act in accordance with the succeeding terms of t order. See Document AJZ
Copies mailed to counsel and parties designated by order of the Court. Copy to George Deukmejian, Attorney General of the State of California mailed certified #P12 2294164		
OVER		

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
SPAIN		PROCUNIER	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
181		
Mar 12	256	Defendants affidavit of service by mail re amended order
Mar 23	257	U. S. Marshal's return of service re amended order to Ruth Rushen
Mar 23	258	U. S. Marshal's return of service re amended order to Jesse M. Unruh
Mar 23	259	U. S. Marshal's return of service re amended order to Kenneth Cory
Mar 31	260	⁸¹⁻⁴¹⁷³ Defendants notice of appeal - re amended order filed 3/10/81
Mar 13	261	Defendants request for reporter's transcripts
22	262	Issued abstract of judgment in sum of \$70,000. plus 8% interest from 4-22-80; \$6,318.00 attorney's fees clerk
Jun 5	263	Plaintiff's notice of motion & motion for writ of execution set 7-6-81/1:30pm.
	264	Plaintiff's declaration= Fred J. Hiestand.
	265	Plaintiff's memo of points & authorities RECEIVED: Proposed order.
26	266	Defendants opposition to motion for writ of execution
30	267	Reporter's transcript, 2/17/81 & 3/6/81 (Wanda J Harris, CSR)
JUL 6	268	MINUTES: Plaintiff's for writ of execution denied without prejudice cont'd to 8/11/81 at 1:30PM for further hearing.
JUL 6	268*	MINUTES: PLAINTIFF'S MOTION for writ of execution denied without prejudice. cont'd to 8/11/81 at 1:30PM for further hearing. (CR/W. HARRIS)
23	269	Reporter's transcript of 3/14/75
31		RECEIVED Plaintiffs ORDER for writ of sequestration(attachment): attachment issue in the sum of \$70,000 for attys' fees & expenses stipulated to by defts & approved by Court on 4/22/80, further sum of \$6,318 in attys' fees ordered by Court on 3/9/81; & \$6,050 in attys' fees for prosecution to a total \$86,988 plus interest

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
SPAIN		PROCUNIOR	PAGE ____ OF ____ PAGE
DATE	NR.	PROCEEDINGS	
1981			
JUL 31		RECEIVED Plaintiffs ORDER for writ of execution (re next one above)	
31		RECEIVED Plaintiffs Writ of Sequestration(attachment)	
31	270	Plaintiffs Certificate of Service (signed: Darlene E Fridley)	
	271	Plaintiffs Delcaration of Fred J. Hiestand in support of MOTION for writ of execution	
	272	Plaintiffs supplemental memo of law in support of writ of execuuiou or sequestration (attachment)	
AUG 11		Mailed certificate of record to USCA & counsel	
Aug 5	273	Defendant CONTROLLER of Calif.'s opposition to writ of sequestrati.	
11	274	MINUTES pltf's motion for writ of attachment on execution-submitted. (CR/R.LINDERMAN)	
17	275	ORDERed that the order & judgment entered on 3/10/81, is stayed until further order of this court & that defts need post no bond. AJZ	
24		Mailed certificate of record to USCA and counsel	
Sep 1	276	Certificate of record to counsel: Fred J. Hiestand (COPPELMAN & HIESTAND, Oakland) sent back by the post office, stamped as "forwarding order expired"	
24		SEALED EXHIBIT LOCATOR: on shelf S	
Oct 26		mailed to USCA (attn: Gwen) the Certificate of REcord (yellow copy)	
Nov 25	277	<u>APPELLANT's</u> Designation of record on appeal	
<u>1982</u>			
Jan 11	278	Order from USCA stating that the time for filing Appellees' Brief is extended from 12/30/81 to 1/14/82. <u>(USCA # is 81-4173)</u>	
Feb 8	279	Plaintiff/Appellee's Association of counsel: Paul Halvonik, HALVONIK & HALVONIK	
8	280	" " <u>APPELLLEE's</u> Designation of record on appeal	
17-26		APPEAL assembled & mailed to USCA CLERK/PC	
SEE OTHER SIDE			

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
SPAIN		PROCUNIER	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
<u>1982</u>			
Mar 8	281	LETTER from USCA confirming that they have received the XXXX USDC's record on appeal	
Jun 14	282	Receipt for 1st supplement to record on appeal. (picked up by USCA staff atty.)	
14		Send 1st supplement to record on appeal to USCA. clerk/RG	
18		sent copies of 1st Supplement to record on appeal to counsel of record clerk/PC	
*15	283	From USCA: that 1st Supplement to record on appeal was received	
Nov. 16	284.	<u>JUDGMENT</u> - rec'd from 9th. CCA - judgment of United States District Court is affirmed. MANDATE SPREAD - Clerk.	
<u>1983</u> <u>Feb. 15</u>	285.	<u>STIPULATION & ORDER</u> - that judgment be entered in favor of the plaintiff, Johnny L. Spain & against defendant Kenneth Cory, Controller of the State of California, in the sum of \$70,000.00 with interest from 4/22/80, to, 2/14/83 in the amount of \$15,772.05 & further sum of \$6,318.00, together with interest from 3/10/81, to, 2/14/83, in the amount of \$977.65 & for further amount of \$5,000.00 as appellate attorneys fees, together with costs of obtaining a Writ of Execution of the amount of \$14.50. AJZ ENTERED: 2/16/83 - Clerk/GGJ Copies Dist. & Mailed to Parties of Record.	
b.28		Issued - Writ of Execution - Amount: \$98,082.20 - Clerk/GGJ	
<u>1984</u> <u>Feb 05</u>	286	Received <u>back</u> from 9th. CCA - Entire Clerk's Record on Appeal.	