

**U.S. District Court
Eastern District of California – Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:12-cv-00592-TLN-CKD**

Prasad et al v. County of Sutter et al
Assigned to: District Judge Troy L. Nunley
Referred to: Magistrate Judge Carolyn K. Delaney
Cause: 42:1983 Civil Rights Act

Date Filed: 03/06/2012
Date Terminated: 05/21/2014
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Mary Prasad
Individually and as Guardian Ad Litem

represented by **Aaron Joseph Fischer**
Rosen Bien Galvan & Grunfeld LLP
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Plaintiff

T. P.

Mary Prasad guardian ad litem

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Michael Bien
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Ernest Galvan
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Plaintiff

A. P.

Mary Prasad guardian ad litem

represented by **Aaron Joseph Fischer**
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Plaintiff

N. S.

Mary Prasad as guardian ad litem

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V.

Defendant

County of Sutter

represented by **John Robert Whitefleet**
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P.O. Box 255428
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916-929-1481 Ext. 347
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LEAD ATTORNEY
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Defendant

J. Paul Parker
Sheriff, County of Sutter

represented by **John Robert Whitefleet**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

David Samson
Division Commander, Sutter County Jail

represented by **John Robert Whitefleet**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Norman Bidwell
Corrections Lieutenant, Sutter County Jail

represented by **John Robert Whitefleet**
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ATTORNEY TO BE NOTICED

Defendant

Doris Brown
Registered Nurse Practitioner, Sutter County Jail

represented by **John Robert Whitefleet**
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Defendant

Melody Young
Licensed Vocational Nurse, Sutter County Jail

represented by **Kathleen J. Williams**
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*LEAD ATTORNEY
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John Robert Whitefleet
(See above for address)
TERMINATED: 04/16/2013

Defendant

Baljinder Rai
Deputy Officer, Sutter County Jail

represented by **John Robert Whitefleet**
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Defendant

Shane Dickson
Deputy Officer, Sutter County Jail

represented by **John Robert Whitefleet**
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Defendant

Fremont–Rideout Health Group

represented by **Robert Harry Zimmerman**
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Defendant

Michael Fraters
Physician, Rideout Memorial Hospital

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Defendant

Lou Anne Cummings

represented by **John Robert Whitefleet**
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Defendant

Amerjit Bhattal

represented by **John Robert Whitefleet**
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Defendant

Brent Garbett

represented by **John Robert Whitefleet**
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*LEAD ATTORNEY
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Defendant**Kimberly Weiss**represented by **John Robert Whitefleet**
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LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Gurkirat Bhangu**represented by **John Robert Whitefleet**
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LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Christina Stohlman**represented by **John Robert Whitefleet**
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LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Lester Eaton**represented by **John Robert Whitefleet**
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LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Miguel Aguilar**represented by **John Robert Whitefleet**
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LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Olga Tahara**represented by **John Robert Whitefleet**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Rosa Diaz**represented by **John Robert Whitefleet**
(See above for address)
LEAD ATTORNEY
*ATTORNEY TO BE NOTICED***Defendant****Eric Crawford**represented by **John Robert Whitefleet**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|---|
| 03/06/2012 | <u>1</u> | COMPLAINT against all defendants by A. P., T. P., Mary Prasad. Attorney Fischer, Aaron Joseph ADDED. (Fischer, Aaron) Modified on 3/7/2012 (Michel, G). (Entered: 03/06/2012) |
| 03/06/2012 | <u>2</u> | CIVIL COVER SHEET by A. P., T. P., Mary Prasad (Fischer, Aaron) (Entered: 03/06/2012) |
| 03/07/2012 | | RECEIPT number #CAE200042760 \$350.00 fbo Nathan Prasad, et. al. by Aaron J. Fischer on 3/7/2012. (Michel, G) (Entered: 03/07/2012) |

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| 03/07/2012 | <u>4</u> | PRISONER NEW CASE DOCUMENTS and ORDER RE CONSENT ISSUED; Consent or Decline due by 4/9/2012 (Attachments: # <u>1</u> Order re Consent) (Michel, G) (Entered: 03/07/2012) |
| 03/12/2012 | <u>5</u> | SUMMONS ISSUED as to *Norman Bidwell, Doris Brown, County of Sutter, Shane Dickson, Michael Fraters, Fremont–Rideout Health Group, J. Paul Parker, Baljinder Rai, David Samson, Melody Young* with answer to complaint due within *21* days. Attorney *Aaron Joseph Fischer* *Rosen, Bien & Galvan, LLP* *315 Montgomery Street, 10th Floor* *San Francisco, CA 94104*. (Donati, J) (Entered: 03/12/2012) |
| 03/12/2012 | <u>6</u> | CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 6/12/2012 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell Jr.. (Attachments: # <u>1</u> Consent Form, # <u>2</u> VDRP Form) (Donati, J) (Entered: 03/12/2012) |
| 03/14/2012 | <u>7</u> | AMENDED CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 6/11/2012 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell Jr. (Attachments: # <u>1</u> Consent Form, # <u>2</u> VDRP Form) (Donati, J) (Entered: 03/14/2012) |
| 04/05/2012 | <u>8</u> | CONSENT to JURISDICTION of US MAGISTRATE JUDGE by A. P., T. P., Mary Prasad. Attorney Mantoan, Kathryn Grzenczyk added. (Mantoan, Kathryn) (Entered: 04/05/2012) |
| 04/16/2012 | <u>9</u> | WAIVER of SERVICE RETURNED EXECUTED: (Whitefleet, John) (Entered: 04/16/2012) |
| 04/17/2012 | <u>10</u> | WAIVER of SERVICE RETURNED EXECUTED: (Whitefleet, John) (Entered: 04/17/2012) |
| 04/18/2012 | <u>11</u> | SUMMONS RETURNED EXECUTED: Fremont–Rideout Health Group served on 4/12/2012, answer due 5/3/2012. (Mantoan, Kathryn) (Entered: 04/18/2012) |
| 04/27/2012 | <u>12</u> | SUMMONS RETURNED EXECUTED: Michael Fraters served on 4/23/2012, answer due 5/14/2012. (Mantoan, Kathryn) (Entered: 04/27/2012) |
| 05/03/2012 | <u>13</u> | STIPULATION to extend time to respond to the Complaint by A. P., T. P., Mary Prasad. (Mantoan, Kathryn) Modified on 5/7/2012 (Reader, L). (Entered: 05/03/2012) |
| 05/09/2012 | <u>14</u> | FIRST AMENDED COMPLAINT against All Defendants by A. P., T. P., Mary Prasad. Attorney Galvan, Ernest added. (Attachments: # <u>1</u> Civil Cover Sheet)(Galvan, Ernest) (Entered: 05/09/2012) |
| 05/10/2012 | <u>15</u> | SUMMONS ISSUED as to *Amerjit Bhattal, Lou Anne Cummings, Brent Garbett* with answer to complaint due within *21* days. Attorney *Ernest Galvan* *315 Montgomery St., 10th Floor* *San Francisco, CA 94104–1823*. (Meuleman, A) (Entered: 05/10/2012) |
| 05/18/2012 | <u>16</u> | CERTIFICATE of SERVICE by A. P., T. P., Mary Prasad re <u>14</u> Amended Complaint. (Mantoan, Kathryn) (Entered: 05/18/2012) |
| 05/25/2012 | <u>17</u> | JOINT STATUS REPORT by A. P., T. P., Mary Prasad. (Mantoan, Kathryn) (Entered: 05/25/2012) |
| 05/31/2012 | <u>18</u> | MOTION to DISMISS by Michael Fraters. Attorney Kurlan, Jennifer C. added. Motion Hearing set for 8/27/2012 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell Jr.. (Kurlan, Jennifer) (Entered: 05/31/2012) |
| 05/31/2012 | <u>19</u> | MOTION to STRIKE <i>Punitive Damages and Claims for Relief</i> by Michael Fraters. Motion Hearing set for 8/27/2012 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell Jr.. (Kurlan, Jennifer) (Entered: 05/31/2012) |
| 06/04/2012 | <u>20</u> | STIPULATION to Extend Time to File Responsive Pleading to <u>14</u> Amended Complaint by Amerjit Bhattal, Norman Bidwell, Doris Brown, County of Sutter, Lou Anne Cummings, Shane Dickson, Brent Garbett, J. Paul Parker, Baljinder Rai, David Samson, Melody Young. Attorney Whitefleet, John Robert added. (Whitefleet, John) Modified on 6/7/2012 (Kastilahn, A). (Entered: 06/04/2012) |
| 06/04/2012 | <u>21</u> | MOTION to STRIKE by Fremont–Rideout Health Group. Attorney Zimmerman, Robert Harry added. Motion Hearing set for 8/27/2012 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell Jr.. (Zimmerman, Robert) Modified on |

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| | | 6/5/2012 (Kastilahn, A). (Entered: 06/04/2012) |
| 06/04/2012 | <u>22</u> | MOTION to DISMISS by Fremont–Rideout Health Group. Motion Hearing set for 8/27/2012 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell Jr.. (Zimmerman, Robert) (Entered: 06/04/2012) |
| 06/05/2012 | <u>23</u> | ORDER signed by Judge Garland E. Burrell, Jr on 6/5/12 ORDERING the Joint Status Report filed 5/25/12, reveals this case is not ready to be scheduled. Therefore, the Status (Pretrial Scheduling) Conference set for hearing on 6/11/12, continued to 8/20/12, at 9:00 a.m. A further joint status report shall be filed no later than fourteen (14) days prior to the Status Conference; Plaintiffs are notified that failure to serve Defendants LouAnne Cummings, Amerjit Bhattal, and Brent Garbett with process within the 120 day period may result in the unserved defendants being dismissed. To avoid dismissal, on or before 9/10/12, Plaintiffs shall file proof of service for these defendants or a sufficient explanation why service was not effected within Rule 4(m)'s prescribed service period. Lastly, no later than 8/6/12, counsel or the minor plaintiffs shall "present (1) appropriate evidence of the appointment of a representative for the minor... under state law[,] or (2) [file] a motion for the appointment of a guardian ad litem by the Court in accordance with Local Rule 202(a).(Becknal, R) (Entered: 06/05/2012) |
| 06/15/2012 | <u>24</u> | MOTION to DISMISS by Amerjit Bhattal, Norman Bidwell, Doris Brown, County of Sutter, Lou Anne Cummings, Shane Dickson, Brent Garbett, J. Paul Parker, Baljinder Rai, David Samson, Melody Young. Motion Hearing set for 08/27/12 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell, Jr. (Attachments: # <u>1</u> Notice)(Whitefleet, John) (Entered: 06/15/2012) |
| 06/19/2012 | <u>25</u> | CONSENT to JURISDICTION of US MAGISTRATE JUDGE by Michael Fraters. (Kurlan, Jennifer) (Entered: 06/19/2012) |
| 07/30/2012 | <u>26</u> | MOTION to APPOINT GUARDIAN AD LITEM for Minor A.P. by Mary Prasad. (Attachments: # <u>1</u> Proposed Order)(Mantoan, Kathryn) Modified on 7/31/2012 (Benson, A.). (Entered: 07/30/2012) |
| 07/30/2012 | <u>27</u> | MOTION to APPOINT GUARDIAN AD LITEM for Minor T.P. by Mary Prasad. (Attachments: # <u>1</u> Proposed Order)(Mantoan, Kathryn) Modified on 7/31/2012 (Benson, A.). (Entered: 07/30/2012) |
| 07/31/2012 | <u>28</u> | ORDER granting <u>27</u> Motion to Appoint Guardian ad Litem signed by Judge Garland E. Burrell, Jr on 7/31/12. Mary Prasad is appointed guardian ad litem for the minor T.P. in this action. (Kaminski, H) (Entered: 07/31/2012) |
| 07/31/2012 | <u>29</u> | ORDER granting <u>26</u> Motion to Appoint Guardian ad Litem signed by Judge Garland E. Burrell, Jr on 7/31/12: Mary Prasad is appointed guardian ad litem for the minor A.P. in this action. (Kaminski, H) (Entered: 07/31/2012) |
| 08/06/2012 | <u>30</u> | FURTHER JOINT STATUS REPORT by A. P., T. P., Mary Prasad. (Mantoan, Kathryn) Modified on 8/7/2012 (Reader, L). (Entered: 08/06/2012) |
| 08/13/2012 | <u>31</u> | OPPOSITION by A. P., T. P., Mary Prasad to <u>24</u> Motion to Dismiss. (Mantoan, Kathryn) (Entered: 08/13/2012) |
| 08/13/2012 | <u>32</u> | OPPOSITION by A. P., T. P., Mary Prasad to <u>22</u> MOTION to DISMISS. (Mantoan, Kathryn) (Entered: 08/13/2012) |
| 08/13/2012 | <u>33</u> | OPPOSITION by A. P., T. P., Mary Prasad to <u>21</u> MOTION to STRIKE. (Mantoan, Kathryn) (Entered: 08/13/2012) |
| 08/13/2012 | <u>34</u> | OPPOSITION by A. P., T. P., Mary Prasad to <u>18</u> MOTION to DISMISS. (Mantoan, Kathryn) (Entered: 08/13/2012) |
| 08/13/2012 | <u>35</u> | OPPOSITION by A. P., T. P., Mary Prasad to <u>19</u> MOTION to STRIKE <i>Punitive Damages and Claims for Relief</i> . (Mantoan, Kathryn) (Entered: 08/13/2012) |
| 08/15/2012 | <u>36</u> | STATUS (PRETRIAL SCHEDULING) ORDER signed by Judge Garland E. Burrell, Jr. on 8/14/12 ORDERING that the 8/20/12 status conference is vacated; Discovery due by 2/7/2014; Motions filed by 4/7/2014; Final Pretrial Conference set for 6/9/2014 at 01:30 PM and Trial set for 9/9/2014 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell Jr.. (Matson, R) (Entered: 08/15/2012) |

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| 08/20/2012 | <u>37</u> | REPLY by Michael Fraters to RESPONSE to <u>18</u> MOTION to DISMISS. (Kurlan, Jennifer) (Entered: 08/20/2012) |
| 08/20/2012 | <u>38</u> | REPLY by Michael Fraters to RESPONSE to <u>19</u> MOTION to STRIKE <i>Punitive Damages and Claims for Relief</i> . (Kurlan, Jennifer) (Entered: 08/20/2012) |
| 08/20/2012 | <u>39</u> | REPLY by Fremont–Rideout Health Group re <u>21</u> MOTION to STRIKE. (Zimmerman, Robert) (Entered: 08/20/2012) |
| 08/20/2012 | <u>40</u> | REPLY by Fremont–Rideout Health Group re <u>22</u> MOTION to DISMISS. (Zimmerman, Robert) (Entered: 08/20/2012) |
| 08/20/2012 | <u>41</u> | REPLY by Amerjit Bhattal, Norman Bidwell, Doris Brown, County of Sutter, Lou Anne Cummings, Shane Dickson, Brent Garbett, J. Paul Parker, Baljinder Rai, David Samson, Melody Young re <u>31</u> Opposition to Motion. (Whitefleet, John) (Entered: 08/20/2012) |
| 08/24/2012 | 42 | MINUTE ORDER: The Motions to Dismiss and Motions to Strike, scheduled for hearing on 8/27/12, are submitted without oral argument. There will not be a hearing on 8/27/12, and no appearance is necessary. re <u>21</u> Motion to Strike, <u>19</u> Motion to Strike, <u>22</u> Motion to Dismiss, <u>24</u> Motion to Dismiss, <u>18</u> Motion to Dismiss Ordered by Judge Garland E. Burrell, Jr on 8/24/12. (Furstenau, S) (Entered: 08/24/2012) |
| 10/15/2012 | <u>43</u> | MOTION to AMEND the <u>14</u> Amended Complaint by A. P., T. P., Mary Prasad. Motion Hearing set for 11/19/2012 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell Jr.. (Attachments: # <u>1</u> Declaration of Kathryn G. Mantoan and Exhibit A (Proposed Second Amended Complaint), # <u>2</u> Proposed Order)(Mantoan, Kathryn) (Entered: 10/15/2012) |
| 11/05/2012 | <u>44</u> | OPPOSITION to <u>43</u> Motion to Amend the <u>14</u> Amended Complaint by Amerjit Bhattal, Norman Bidwell, Doris Brown, County of Sutter, Lou Anne Cummings, Shane Dickson, Brent Garbett, J. Paul Parker, Baljinder Rai, David Samson, Melody Young. (Whitefleet, John) Modified on 11/6/2012 (Michel, G). (Entered: 11/05/2012) |
| 11/09/2012 | <u>45</u> | REPLY by A. P., T. P., Mary Prasad re <u>43</u> MOTION to AMEND the <u>14</u> Amended Complaint. (Mantoan, Kathryn) (Entered: 11/09/2012) |
| 11/14/2012 | 46 | MINUTE ORDER: The Motion to Amend, scheduled for hearing on 11/19/12, is submitted without oral argument. There will not be a hearing on 11/19/12, and no appearance is necessary. re <u>43</u> Motion to Amend the Complaint/Petition, Ordered by Judge Garland E. Burrell, Jr on 11/14/12. (Furstenau, S) (Entered: 11/14/2012) |
| 11/20/2012 | <u>47</u> | ORDER by Chief Judge Morrison C. England, Jr.: Due to the appointment of Magistrate Judge *Allison Claire* to the bench of the Eastern District, this action is reassigned from *Magistrate Judge Gregory G. Hollows* for all further proceedings. (Waggoner, D) (Entered: 11/20/2012) |
| 11/20/2012 | <u>48</u> | ORDER signed by Judge Garland E. Burrell, Jr. on 11/19/2012 GRANTING <u>43</u> Plaintiffs' Motion for Leave to File a Second Amended Complaint; Plaintiffs have 10 days leave from the date on which this Order is filed to file the second amended complaint. (Reader, L) (Entered: 11/20/2012) |
| 11/26/2012 | <u>49</u> | ORDER signed by Magistrate Judge Allison Claire on 11/26/12 ORDERING the Clerk to refer this case to another Magistrate Judge for any further proceedings which may be appropriate or required. This Case has been REASSIGNED to Magistrate Judge John F. Moulds for all further proceedings. The New Case Number is 2:12-cv-00592 GEB JFM. (Mena-Sanchez, L) (Entered: 11/26/2012) |
| 11/26/2012 | <u>50</u> | SECOND AMENDED COMPLAINT against All Defendants by A. P., T. P., Mary Prasad. (Attachments: # <u>1</u> Civil Cover Sheet)(Galvan, Ernest) (Entered: 11/26/2012) |
| 11/28/2012 | <u>51</u> | SUMMONS ISSUED as to *Miguel Aguilar, Gurkirat Bhangu, Eric Crawford, Rosa Diaz, Lester Eaton, Christina Stohlman, Olga Tahara, Kimberly Weiss* with answer to complaint due within *21* days. Attorney *Ernest Galvan* *Rosen Bien Galvan & Grunfeld LLP* *315 Montgomery Street, Tenth Floor* *San Francisco, CA 94104-1823*. (Zignago, K.) (Entered: 11/28/2012) |
| 12/10/2012 | <u>52</u> | MOTION to DISMISS by Michael Fraters. Motion Hearing set for 2/6/2013 at 10:00 AM in 8th floor courtroom (JFM) before Magistrate Judge Allison Claire. (Kurlan, |

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| | | Jennifer) Modified on 12/12/2012 (Kastilahn, A). (Entered: 12/10/2012) |
| 12/10/2012 | <u>53</u> | MOTION to STRIKE <i>Punitive Damages and Claims for Relief</i> by Michael Fraters. Motion Hearing set for 2/6/2013 at 10:00 AM in 8th floor courtroom (JFM) before Magistrate Judge Allison Claire. (Kurlan, Jennifer) (Entered: 12/10/2012) |
| 12/13/2012 | <u>54</u> | NOTICE of hearing by Michael Fraters on Motion to Strike <u>53</u> and Motion to Dismiss <u>52</u> . Motion hearing SET for 2/7/12 in courtroom 26 Before Magistrate Judge John F. Moulds. (Kurlan, Jennifer) Modified on 12/14/2012 (Mena-Sanchez, L). (Entered: 12/13/2012) |
| 12/13/2012 | <u>55</u> | STIPULATION <i>re Acceptance of Service of Second Amended Complaint, Waiver of Service of Summons, Extension of Time to Respond to Second Amended Complaint</i> by A. P., T. P., Mary Prasad. (Mantoan, Kathryn) (Entered: 12/13/2012) |
| 12/18/2012 | <u>56</u> | MOTION to DISMISS by Fremont-Rideout Health Group. Motion Hearing set for 2/7/2013 at 11:00 AM before Magistrate Judge John F. Moulds. (Zimmerman, Robert) Modified on 12/19/2012 (Meuleman, A). (Entered: 12/18/2012) |
| 12/18/2012 | <u>57</u> | MOTION to STRIKE by Fremont-Rideout Health Group. Motion Hearing set for 2/7/2013 at 11:00 AM before Magistrate Judge John F. Moulds. (Zimmerman, Robert) Modified on 12/19/2012 (Meuleman, A). (Entered: 12/18/2012) |
| 12/19/2012 | <u>58</u> | MINUTE ORDER (TEXT ONLY) by CRD: The Court is in receipt of Defendants <u>52</u> Motion to Dismiss, <u>53</u> Motion to Strike, <u>56</u> Motion to Dismiss and <u>57</u> Motion to Strike. Upon the Courts own motion these matters are VACATED from calendar due to being improperly noticed before Magistrate Judge John F. Moulds. Please contact District Judge Garland E. Burrells Courtroom Deputy, Shani Furstenuau, at (916) 930-4114 for the next available hearing date.(Anderson, J) (Entered: 12/19/2012) |
| 12/20/2012 | <u>59</u> | NOTICE to RESCHEDULE Motion Hearings re: <u>52</u> and <u>53</u> Motions by Jennifer C. Kurlan on behalf of Michael Fraters. Hearings rescheduled to 2/25/13 at 9:00 a.m. before District Judge Garland E. Burrell. (Kurlan, Jennifer) Modified on 12/21/2012 (Meuleman, A). (Entered: 12/20/2012) |
| 12/21/2012 | <u>60</u> | ORDER signed by Judge Garland E. Burrell, Jr on 12/21/2012 DENYING <u>18</u> , <u>19</u> , <u>21</u> , <u>22</u> , & <u>24</u> Motions. (Donati, J) (Entered: 12/21/2012) |
| 12/26/2012 | <u>61</u> | MOTION to DISMISS <u>50</u> Second Amended Complaint by Miguel Aguilar, Gurkirat Bhangu, Amerjit Bhattal, Norman Bidwell, Doris Brown, County of Sutter, Eric Crawford, Lou Anne Cummings, Rosa Diaz, Shane Dickson, Lester Eaton, Brent Garbett, J. Paul Parker, Baljinder Rai, David Samson, Christina Stohlman, Olga Tahara, Kimberly Weiss, Melody Young. Attorney Whitefleet, John Robert ADDED. Motion Hearing SET for 2/25/2013 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell Jr. (Attachments: # <u>1</u> Notice of Motion to Dismiss) (Whitefleet, John) Modified on 12/27/2012 (Michel, G). (Entered: 12/26/2012) |
| 12/28/2012 | <u>62</u> | NOTICE to RESCHEDULE HEARING on <u>56</u> MOTION to DISMISS, <u>57</u> MOTION to STRIKE : Motion Hearing set for 2/25/2013 at 09:00 AM in Courtroom 10 (GEB) before Judge Garland E. Burrell Jr.. (Zimmerman, Robert) (Entered: 12/28/2012) |
| 02/11/2013 | <u>63</u> | OPPOSITION by A. P., T. P., Mary Prasad to <u>61</u> MOTION to DISMISS. (Mantoan, Kathryn) (Entered: 02/11/2013) |
| 02/11/2013 | <u>64</u> | OPPOSITION by A. P., T. P., Mary Prasad to <u>56</u> MOTION to DISMISS. (Mantoan, Kathryn) (Entered: 02/11/2013) |
| 02/11/2013 | <u>65</u> | OPPOSITION by A. P., T. P., Mary Prasad to <u>57</u> MOTION to STRIKE . (Mantoan, Kathryn) (Entered: 02/11/2013) |
| 02/11/2013 | <u>66</u> | OPPOSITION by A. P., T. P., Mary Prasad to <u>52</u> MOTION to DISMISS. (Mantoan, Kathryn) (Entered: 02/11/2013) |
| 02/11/2013 | <u>67</u> | OPPOSITION by A. P., T. P., Mary Prasad to <u>53</u> MOTION to STRIKE <i>Punitive Damages and Claims for Relief</i> . (Mantoan, Kathryn) (Entered: 02/11/2013) |
| 02/13/2013 | <u>68</u> | REPLY by Michael Fraters to RESPONSE to <u>52</u> MOTION to DISMISS. (Kurlan, Jennifer) (Entered: 02/13/2013) |

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| 02/13/2013 | <u>69</u> | REPLY by Michael Fraters to RESPONSE to <u>53</u> MOTION to STRIKE <i>Punitive Damages and Claims for Relief</i> . (Kurlan, Jennifer) (Entered: 02/13/2013) |
| 02/14/2013 | <u>70</u> | REPLY by Miguel Aguilar, Gurkirat Bhangu, Amerjit Bhattal, Norman Bidwell, Doris Brown, County of Sutter, Eric Crawford, Lou Anne Cummings, Rosa Diaz, Shane Dickson, Lester Eaton, Brent Garbett, J. Paul Parker, Baljinder Rai, David Samson, Christina Stohlman, Olga Tahara, Kimberly Weiss, Melody Young re <u>63</u> Opposition to Motion. (Whitefleet, John) (Entered: 02/14/2013) |
| 02/15/2013 | <u>71</u> | REPLY by Fremont–Rideout Health Group re <u>65</u> Opposition to Motion. (Zimmerman, Robert) (Entered: 02/15/2013) |
| 02/15/2013 | <u>72</u> | REPLY by Fremont–Rideout Health Group re <u>64</u> Opposition to Motion. (Zimmerman, Robert) (Entered: 02/15/2013) |
| 02/20/2013 | 73 | MINUTE ORDER: All Motions to Strike are submitted without oral argument. All Motions to Dismiss are submitted without oral argument, except for Defendants Cummings, Garbett, Brown, Young, Weiss, and Bhangus motion to dismiss Plaintiffs prayer for punitive damages concerning Plaintiffs state law claims, on which oral argument is scheduled to commence at 9:00 a.m. on 2/25/13. re <u>53</u> Motion to Strike, <u>52</u> Motion to Dismiss, <u>57</u> Motion to Strike, <u>56</u> Motion to Dismiss, <u>61</u> Motion to Dismiss Ordered by Judge Garland E. Burrell, Jr on 2/20/13. (Furstenau, S) (Entered: 02/20/2013) |
| 02/22/2013 | 74 | MINUTE ORDER: Defendants' Cummings, Garbett, Brown, Young, Weiss, and Bhangu's motion to dismiss Plaintiffs' prayer for punitive damages concerning Plaintiffs' state law claims, currently scheduled for hearing on 2/25/13, is rescheduled for hearing on 4/8/13, at 9:00 a.m. Ordered by Judge Garland E. Burrell, Jr on 2/22/13. (Furstenau, S) (Entered: 02/22/2013) |
| 04/03/2013 | 75 | MINUTE ORDER: Defendants Cummings, Garbett, Brown, Young, Weiss, and Bhangu's motion to dismiss Plaintiffs' prayer for punitive damages concerning Plaintiffs' state law claims is pending. (ECF Nos. 61, 73.) Since the parties have not briefed certain issues, counsel shall be prepared to address the following questions during oral argument, which is reset for 9:00 a.m. on April 22, 2013. <u>The hearing scheduled for April 8, 2013 is vacated.</u> Further, each party is granted leave to respond to the following questions in writing in advance of the hearing by filing a response on the docket at counsel's earliest convenience. Please explain each response. <u>For Plaintiffs: 1. In Guaranty Trust Co. of New York v. York</u> , 326 U.S. 99, 109 (1945), the Supreme Court states that it is "immaterial whether [state] statutes... are characterized either as 'substantive' or 'procedural.'" Instead, when deciding whether a state statute applies in federal court, what matters is whether the statute "significantly affect[s] the result of a litigation." <u>Id.</u> Does § 425.13 "significantly affect the result of a litigation?" <u>2. California Civil Procedure Code § 425.13</u> states that a motion under § 425.13 must be made within two years after filing suit or nine months before the matter is first set for trial, whichever is earlier. Since a federal court deciding state claims "applies the substantive law of the state, including the state's statute of limitations," <u>Albano v. Shea Homes Ltd. P'ship</u> , 634 F.3d 524, 530 (9th Cir. 2011), why is § 425.13's limitations period inapplicable in federal court? <u>3. Erie's "twin aims"</u> are "'discouragement of forum-shopping and avoidance of inequitable administration of the laws.'" <u>Goldberg v. Pac. Indem. Co.</u> , 627 F.3d 752, 755 (9th Cir. 2010). Would it encourage forum shopping and inequitable administration of the laws to waive § 425.13's requirements for plaintiffs litigating in federal, but not state, court? <u>For Defendants Cummings, Garbett, Brown, Young, Weiss, and Bhangu: 1. In College Hospital, Inc. v. Superior Court</u> , 8 Cal. 4th 704, 718, 717 (1994), the California Supreme Court states that § 425.13 is a "procedural protection" that was not "intended to change the substantive elements of punitive damages claims." How does this pronouncement affect your argument that § 425.13 is a substantive provision? <u>2. What state substantive law is § 425.13 so "intimately bound up" with so that it is "an integral component of California's substantive state policy?"</u> <u>Feldman v. Allstate Ins. Co.</u> , 322 F.3d 660, 66667 (9th Cir. 2003). <u>3. During a § 425.13 hearing</u> , the court cannot "weigh the merits of the claim or consider its likely outcome at trial." <u>Coll. Hosp., Inc.</u> , 8 Cal. 4th at 719. Does the limited scope of review under § 425.13 make the statute less like a substantive provision and more like a procedural regulation of the "manner and the means by which a [plaintiff may] recover"? <u>See York</u> , 326 U.S. at 109. Ordered by Judge Garland E. Burrell, Jr on 04/03/13. (Dankof, E) (Entered: 04/03/2013) |

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| 04/03/2013 | <u>76</u> | ORDER by Chief Judge Morrison C. England, Jr.: Due to the appointment of *District Judge Troy L. Nunley* to the bench of the Eastern District, this action is reassigned from District Judge *Garland E. Burrell, Jr.* for all further proceedings. (Waggoner, D) (Entered: 04/03/2013) |
| 04/05/2013 | 77 | MINUTE ORDER issued by Courtroom Deputy M. Krueger for District Judge Troy L. Nunley on 4/5/2013: Pursuant to the Order of Reassignment to District Judge Troy L. Nunley <u>76</u> , the Hearing for Defendants' Motions to Dismiss <u>52</u> , <u>56</u> , <u>61</u> , and Motions to Strike <u>53</u> and <u>57</u> , currently set for 4/22/2013 before Judge Garland E. Burrell, Jr. is VACATED and RESET for 6/20/2013 at 2:00 PM in Courtroom 2 (TLN) before District Judge Troy L. Nunley. All other dates will remain the same at this time. (TEXT ONLY ENTRY) (Krueger, M) (Entered: 04/05/2013) |
| 04/12/2013 | <u>78</u> | SUBSTITUTION of ATTORNEY – PROPOSED, submitted by Melody Young. (Williams, Kathleen) (Entered: 04/12/2013) |
| 04/16/2013 | <u>79</u> | ORDER SUBSTITUTING ATTORNEY signed by District Judge Troy L. Nunley on 4/16/13. Added attorney Kathleen J. Williams for Melody Young, attorney John Robert Whitefleet terminated. (Meuleman, A) (Entered: 04/16/2013) |
| 04/16/2013 | <u>80</u> | MOTION to COMPEL Production Responsive to Plaintiff's First Set of Requests for Production and First Set of Interrogatories to County of Sutter by Mary Prasad. Attorney Rifkin, Lori added. Motion Hearing set for 6/13/2013 at 11:00 AM in Courtroom 26 (AC) before Magistrate Judge John F. Moulds. (Rifkin, Lori) (Entered: 04/16/2013) |
| 04/23/2013 | <u>81</u> | Defendants' SUPPLEMENTAL BRIEFING <i>in Support of Motion to Dismiss</i> . (Whitefleet, John) Modified on 4/24/2013 (Mena-Sanchez, L). (Entered: 04/23/2013) |
| 04/24/2013 | 82 | MINUTE ORDER (TEXT ONLY) by CRD: Due to the Court's unavailability the <u>80</u> Motion to Compel currently set for 06/13/2013 at 11:00 AM is VACATED and RESET for 6/12/2013 at 10:00 AM in Courtroom 24 (CKD) before Magistrate Judge Carolyn K. Delaney. (Anderson, J) (Entered: 04/24/2013) |
| 05/17/2013 | <u>83</u> | RESPONSE by A. P., T. P., Mary Prasad to 75 Minute Order. (Mantoan, Kathryn) Modified on 5/17/2013 (Krueger, M). (Entered: 05/17/2013) |
| 05/22/2013 | <u>84</u> | AMENDED MOTION to COMPEL amending <u>80</u> MOTION to COMPEL Production Responsive to Plaintiff's First Set of Requests for Production and First Set of Interrogatories to County of Sutter by A. P., T. P., Mary Prasad. Motion Hearing set for 6/12/2013 at 10:00 AM in Courtroom 24 (CKD) before Magistrate Judge Carolyn K. Delaney. (Mantoan, Kathryn) (Entered: 05/22/2013) |
| 06/05/2013 | <u>85</u> | DECLARATION of John R. Whitefleet in OPPOSITION TO <u>84</u> AMENDED MOTION to COMPEL amending <u>80</u> MOTION to COMPEL Production Responsive to Plaintiff's First Set of Requests for Production and First Set of Interrogatories to County of Sutter . (Attachments: # <u>1</u> Declaration of Amerjit Bhatl in support of privilege)(Whitefleet, John) (Entered: 06/05/2013) |
| 06/05/2013 | <u>86</u> | STATEMENT of Discovery Disagreement re: Plaintiff's Motion to Compel by Plaintiff Mary Prasad re <u>84</u> AMENDED MOTION to COMPEL amending <u>80</u> MOTION to COMPEL Production Responsive to Plaintiff's First Set of Requests for Production and First Set of Interrogatories to County of Sutter . (Mantoan, Kathryn) (Entered: 06/05/2013) |
| 06/05/2013 | <u>87</u> | DECLARATION of Kathryn G. Mantoan in SUPPORT OF <u>84</u> AMENDED MOTION to COMPEL amending <u>80</u> MOTION to COMPEL Production Responsive to Plaintiff's First Set of Requests for Production and First Set of Interrogatories to County of Sutter . (Attachments: # <u>1</u> Exhibit A–I, # <u>2</u> Exhibit J–U)(Mantoan, Kathryn) (Entered: 06/05/2013) |
| 06/06/2013 | <u>88</u> | PROPOSED ORDER re Plaintiff's Motion to Compel re <u>84</u> AMENDED MOTION to COMPEL amending <u>80</u> MOTION to COMPEL Production Responsive to Plaintiff's First Set of Requests for Production and First Set of Interrogatories to County of Sutter by Mary Prasad. (Mantoan, Kathryn) (Entered: 06/06/2013) |
| 06/12/2013 | 89 | MINUTES (Text Only) for proceedings held before Magistrate Judge Carolyn K. Delaney: MOTION HEARING held on 6/12/2013: Court and counsel conferred re |

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| | | plaintiffs' <u>84</u> Motion to Compel. Arguments heard; motion taken under submission. Court to issue formal order. Plaintiffs Counsel Kathryn Mantoan present. Defendants Counsel John Whitefleet present. Court Reporter/CD Number: ECRO. (Owen, K) (Entered: 06/12/2013) |
| 06/13/2013 | <u>90</u> | MINUTE ORDER issued by Courtroom Deputy M. Krueger for District Judge Troy L. Nunley on 6/13/2013: In light of the parties' supplemental briefing <u>81</u> and <u>83</u> , the Defendants' Motions to Dismiss and to Strike <u>52</u> , <u>53</u> , <u>56</u> , <u>57</u> and <u>61</u> are hereby SUBMITTED without oral argument. Accordingly, the hearing set for 6/20/2013 is VACATED. If the Court determines oral argument is necessary, it will be scheduled at a later date. (TEXT ONLY ENTRY) (Krueger, M) (Entered: 06/13/2013) |
| 06/14/2013 | <u>91</u> | ORDER signed by Magistrate Judge Carolyn K. Delaney on 6/14/2013 DENYING the defendants' request for the court to enter a protective order pending the outcome of defendants' Motions to Dismiss; CONFIRMING that dispute numbers 5, 6 and 11 have been resolved; ORDERING the parties to produce the documents responsive to plaintiffs' dispute numbers 1-4 and 12-14 by 6/17/2013 or to contact the court if a dispute arises regarding said documents; ORDERING the defendants to produce the identity of the inmates housed in cells MAX-2 and MAX-3 within 7 days; ORDERING the defendants to submit, for in camera review, those portions of the requested personnel files containing grievances against individual officers and Internal Affairs Reports, and any training attended by the officers within 14 days; ORDERING the defendants to conduct a reasonable and diligent search for "[i]nternal or third-party audits, assessments, reports, or accreditation-related documents for the provision of health care at Sutter County Jail since 1/28/2008..." within 14 days; ORDERING defendants to conduct a reasonable and diligent search for "[d]ocuments reflecting attendance at and/or content of Sutter County Jail medical services continuous quality improvement (CQI) meetings from January 2008 through the present..." and "[a]ny plans of correction for Sutter County Jail medical services from January 2008 through the present..." within 14 days; ORDERING defendants to serve on plaintiffs a declaration describing the search conducted and produce any responsive documents within 14 days; ORDERING defendants to conduct a reasonable and diligent search for "[e]xcel spreadsheets or other documents created by Brent Garbett during his tenure as Sutter County Jail Nurse Manager reflecting his review of grievances" within 14 days; ORDERING defendants to serve on plaintiffs a declaration describing the search conducted and produce any responsive documents within 14 days; ORDERING defendants to conduct a reasonable and diligent search for "[a]ll morbidity or Death in Custody reports regarding deaths of inmates at Sutter County Jail (or inmates who died at outside providers to which they were directly transferred from Sutter County Jail) from January 2001 through the present" within 14 days; ORDERING defendants to serve on plaintiffs a declaration describing the search conducted and produce any responsive documents within 14 days; ALLOWING defendants to file a letter brief, within 7 days and not to exceed four pages, addressing plaintiffs request for expenses incurred in connection with the Motion to Compel; ALLOWING plaintiffs to file a reply letter brief, 7 days thereafter and not to exceed four pages; ORDERING that all discovery produced pursuant to this order shall be subject to a protective order. (Michel, G) (Entered: 06/14/2013) |
| 06/21/2013 | <u>92</u> | BRIEF re Plaintiffs' Request for Sanctions by County of Sutter. (Whitefleet, John) Modified on 7/1/2013 (Becknal, R). (Entered: 06/21/2013) |
| 06/21/2013 | <u>93</u> | STIPULATION and PROPOSED ORDER for Protective Order re <u>91</u> Order. (Whitefleet, John) Modified on 7/1/2013 (Becknal, R). (Entered: 06/21/2013) |
| 06/25/2013 | <u>94</u> | STIPULATED PROTECTIVE ORDER signed by Magistrate Judge Carolyn K. Delaney on 6/25/2013. (Owen, K) (Entered: 06/25/2013) |
| 06/27/2013 | <u>95</u> | EX PARTE APPLICATION to Stay Order of Magistrate Judge Pending Ruling on Motion for Reconsideration by County of Sutter. (Whitefleet, John) Modified on 7/1/2013 (Becknal, R). (Entered: 06/27/2013) |
| 06/27/2013 | <u>96</u> | REQUEST for Reconsideration by the District Court of Magistrate Judge's Ruling by County of Sutter re <u>91</u> Order. (Whitefleet, John) Modified on 7/1/2013 (Becknal, R). (Entered: 06/27/2013) |

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| 06/27/2013 | <u>97</u> | LETTER BRIEF by Mary Prasad re <u>91</u> Order. (Attachments: # <u>1</u> Declaration of Sanford Jay Rosen, # <u>2</u> Declaration of Carter C. White, # <u>3</u> Declaration of Mary Prasad)(Mantoan, Kathryn) Modified on 7/1/2013 (Becknal, R). (Entered: 06/27/2013) |
| 06/27/2013 | <u>98</u> | OPPOSITION by Plaintiff Mary Prasad to <u>95</u> Ex Parte Application. (Mantoan, Kathryn) (Entered: 06/27/2013) |
| 06/28/2013 | <u>99</u> | MINUTE ORDER issued by Courtroom Deputy M. Krueger for District Judge Troy L. Nunley on 6/28/2013: The Court is in receipt of Defendants' Ex Parte Application to Stay Order of Magistrate Judge Pending Ruling on Motion for Reconsideration. (ECF No. <u>95</u> .) Plaintiffs oppose the ex parte application. (ECF No. <u>98</u> .) The Court finds that Defendants have not demonstrated that they are without fault in creating the alleged crisis that requires ex parte relief, or that the crisis occurred as a result of excusable neglect. See Mission Power Engineering Co. v. Continental Cas. Co., 883 F. Supp. 488, 492 (C.D. Cal. 1995), cited approvingly in Manpower Inc. v. Slingshot Connections LLC, No. 2:12-cv-01069 JAM KJN, 2012 WL 3561974, at *2 (E.D. Cal. Aug. 17, 2012). Defendants have been on notice of the Magistrate Judge's order since June 14, 2013, and only bring their ex parte request at the eleventh hour prior to their deadline to comply. Defendants' ex parte application for a stay is DENIED. With respect to the request for reconsideration, Plaintiffs are to file their opposition to Defendants' request in accordance with Local Rule 303. No reply briefs are permitted. (TEXT ONLY ENTRY) (Krueger, M) (Entered: 06/28/2013) |
| 07/03/2013 | <u>100</u> | ORDER signed by Magistrate Judge Carolyn K. Delaney on 7/2/13 ORDERING that within 7 days defendants shall produce documents in accordance with this order; the remaining documents submitted for in camera review need not be produced. (Manzer, C) (Entered: 07/03/2013) |
| 07/05/2013 | <u>101</u> | OPPOSITION by Plaintiff Mary Prasad to <u>96</u> Request. (Mantoan, Kathryn) (Entered: 07/05/2013) |
| 07/15/2013 | <u>102</u> | ORDER signed by District Judge Troy L. Nunley on 7/12/13 ORDERING that defendant's <u>96</u> Request for Reconsideration is DENIED. (Kastilahn, A) (Entered: 07/15/2013) |
| 07/17/2013 | <u>103</u> | ORDER signed by Magistrate Judge Carolyn K. Delaney on 7/17/13. IT IS HEREBY ORDERED that plaintiffs are awarded reasonable expenses under FRCP 37(a) in the amount of \$18,022.50 against defendants. (Meuleman, A) (Entered: 07/17/2013) |
| 07/26/2013 | <u>104</u> | REQUEST for RECONSIDERATION by District Court of Magistrate Judge's <u>103</u> Ruling by County of Sutter. (Whitefleet, John) Modified on 7/30/2013 (Marciel, M) (Entered: 07/26/2013) |
| 07/30/2013 | <u>105</u> | ORDER signed by District Judge Troy L. Nunley on 7/29/2013. Defendant Fraters' and Rideout's <u>52</u> <u>56</u> Motions to Dismiss and <u>53</u> <u>57</u> to Strike are DENIED. Sutter defendants' <u>61</u> Motion to Dismiss is DENIED in all respects except to plaintiffs' failure to summon medical care against claim against Dickson, Rai, Crawford, Diaz, Aguilar, Tahara, Stohlman, Eaton, and Garbett is DISMISSED. Plaintiffs are GRANTED 15 days leave to amend their Complaint and address the deficiencies described. (Marciel, M) (Entered: 07/30/2013) |
| 08/01/2013 | <u>106</u> | OPPOSITION by Plaintiff Mary Prasad to <u>104</u> Request for Reconsideration of Magistrate Judge's <u>103</u> Order. (Attachments: # <u>1</u> Declaration of Kathryn G. Mantoan)(Mantoan, Kathryn) (Entered: 08/01/2013) |
| 08/07/2013 | <u>107</u> | TRANSCRIPT of Plaintiffs' Motion to Compel Proceedings held on 06/12/2013, before Magistrate Judge Carolyn K. Delaney. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction must be filed within 5 court days. Redaction Request due 8/29/2013. Redacted Transcript Deadline set for 9/9/2013. Release of Transcript Restriction set for 11/7/2013 filed by ECRO Jonathan Anderson, Phone number 916-930-4072 E-mail janderson@caed.uscourts.gov. (Anderson, J) (Entered: 08/07/2013) |
| 08/07/2013 | <u>108</u> | NOTICE of Non-Amendment by A. P., T. P., Mary Prasad. (Mantoan, Kathryn) (Entered: 08/07/2013) |

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| 08/21/2013 | <u>109</u> | ANSWER to <u>50</u> Amended Complaint with Jury Demand by Miguel Aguilar, Gurkirat Bhangu, Amerjit Bhattal, Norman Bidwell, Doris Brown, County of Sutter, Eric Crawford, Lou Anne Cummings, Rosa Diaz, Shane Dickson, Lester Eaton, Brent Garbett, J. Paul Parker, Baljinder Rai, David Samson, Christina Stohlman, Olga Tahara, Kimberly Weiss.(Whitefleet, John) (Entered: 08/21/2013) |
| 08/22/2013 | <u>110</u> | ANSWER to <u>50</u> Amended Complaint with Jury Demand by Michael Fraters.(Kurlan, Jennifer) (Entered: 08/22/2013) |
| 08/23/2013 | <u>111</u> | ANSWER to <u>50</u> Amended Complaint with Jury Demand by Fremont–Rideout Health Group.(Zimmerman, Robert) (Entered: 08/23/2013) |
| 08/23/2013 | <u>112</u> | ANSWER to <u>50</u> Amended Complaint with Jury Demand by Melody Young.(Williams, Kathleen) (Entered: 08/23/2013) |
| 09/05/2013 | <u>113</u> | STIPULATION and PROPOSED ORDER for Extending Expert Deadines by Fremont–Rideout Health Group. (Zimmerman, Robert) (Entered: 09/05/2013) |
| 09/12/2013 | <u>114</u> | STIPULATION and ORDER signed by District Judge Troy L. Nunley on 9/9/2013 ORDERING that each party complete initial expert disclosure in compliance with F.R.Cv.P. Rule 26(a)(2)(B) and (C) by 9/13/2013; ORDERING that any contradictory and/or rebuttal experts be disclosed in compliance with F.R.Cv.P. Rule 26(a)(2)(D)(ii) by 10/14/2013. (Michel, G) (Entered: 09/12/2013) |
| 10/23/2013 | <u>115</u> | ORDER signed by District Judge Troy L. Nunley on 10/22/13 ORDERING Defendant's Request for Reconsideration <u>104</u> is Denied. (Becknal, R) (Entered: 10/23/2013) |
| 11/05/2013 | <u>116</u> | ORDER by Chief Judge Morrison C. England, Jr.: Due to the retirement of Magistrate Judge * John F. Moulds* from the bench of the Eastern District, this action is reassigned to *Magistrate Judge Carolyn K. Delaney* for all further proceedings. (Waggoner, D) (Entered: 11/05/2013) |
| 12/03/2013 | 117 | MINUTE ORDER (Text Only) by Courtroom Deputy K. Owen for Magistrate Judge Carolyn K. Delaney on 12/3/2013: Pursuant to an informal telephone scheduling conference on 12/2/2013 with attorneys Mantoan, Holley, Williams, and Whitefleet, the parties have agreed to the deposition of witness Bidwell on 12/5/2013 at 9:30 a.m. and witness Bhattal on 12/11/2013 at 9:30 a.m. Counsel for defendant Sutter County is directed to provide, no later than 12:00 p.m. on December 3, 2013, dates for the depositions of the other witnesses identified at the scheduling conference. So ordered. (Owen, K) (Entered: 12/03/2013) |
| 12/09/2013 | <u>118</u> | Defendants' NOTICE <i>re Conflict on 12/11/13, Date Set for Deposition of Amerjit Bhattal</i> re 117 Minute Order. (Whitefleet, John) Modified on 12/12/2013 (Mena–Sanchez, L). (Entered: 12/09/2013) |
| 12/10/2013 | <u>119</u> | NOTICE <i>re Conflict on December 11, 2013 (Amended)</i> by Miguel Aguilar, Gurkirat Bhangu, Amerjit Bhattal, Norman Bidwell, Doris Brown, County of Sutter, Eric Crawford, Lou Anne Cummings, Rosa Diaz, Shane Dickson, Lester Eaton, Brent Garbett, J. Paul Parker, Baljinder Rai, David Samson, Christina Stohlman, Olga Tahara, Kimberly Weiss re 117 Minute Order,.. (Whitefleet, John) (Entered: 12/10/2013) |
| 12/23/2013 | <u>120</u> | STIPULATION <i>and Request for Settlement Conference</i> by Melody Young. (Williams, Kathleen) (Entered: 12/23/2013) |
| 01/03/2014 | 121 | MINUTE ORDER (Text Only) issued by Relief Courtroom Deputy J. Streeter for District Judge Troy L. Nunley on 01/04/2014 ORDERING a Settlement Conference set for 3/4/2014 at 09:00 AM in Courtroom 25 (KJN) before Magistrate Judge Kendall J. Newman. Counsel are instructed to have a principal with full settlement authority present at the Settlement Conference or to be fully authorized to settle the matter on any terms. The parties are directed to exchange non–confidential settlement conference statements seven (7) days prior to this settlement conference. These statements shall simultaneously be delivered to the Court using the following email address: kjnorders@caed.uscourts.gov. If a party desires to share additional confidential information with the Court, they may do so pursuant to the provisions of Local Rule 270(d) and (e). (Streeter, J) (Entered: 01/03/2014) |

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| 01/06/2014 | <u>122</u> | REQUEST FOR CLARIFICATION of <u>115</u> Order denying Request for Reconsideration by County of Sutter. (Whitefleet, John) Modified on 1/7/2014 (Michel, G). (Entered: 01/06/2014) |
| 01/07/2014 | <u>123</u> | RESPONSE by Mary Prasad to <u>122</u> Request. (Attachments: # <u>1</u> Declaration of Kathryn G. Mantoan)(Mantoan, Kathryn) (Entered: 01/07/2014) |
| 01/07/2014 | <u>124</u> | ORDER signed by Magistrate Judge Carolyn K. Delaney on 1/7/14 ORDERING that defendant shall comply with the 7/17/13 order within seven days of the date of this order.(Mena-Sanchez, L) (Entered: 01/07/2014) |
| 01/09/2014 | <u>125</u> | STIPULATION and PROPOSED ORDER for Limited Modification of Discovery Cut-Off re <u>36</u> Scheduling Order. (Mantoan, Kathryn) Modified on 1/13/2014 (Meuleman, A). (Entered: 01/09/2014) |
| 01/13/2014 | <u>126</u> | STIPULATION and ORDER signed by District Judge Troy L. Nunley on 1/9/14: Discovery cut-off is extended until February 10, 2014 solely for the purpose of completing the deposition of defense expert Lawanna G. Farrell on that date. With respect to all other discovery, the discovery cut-off date remains February 7, 2014. (Kaminski, H) (Entered: 01/13/2014) |
| 01/30/2014 | <u>127</u> | STIPULATION and PROPOSED ORDER for Depositions of Minor Plaintiffs by A. P., T. P., Mary Prasad. Attorney Stark, Jennifer added. (Stark, Jennifer) (Entered: 01/30/2014) |
| 01/31/2014 | <u>128</u> | ORDER signed by Magistrate Judge Carolyn K. Delaney on 1/31/14 DENYING WITHOUT PREJUDICE <u>127</u> Stipulation and Proposed Order. (Meuleman, A) (Entered: 01/31/2014) |
| 01/31/2014 | <u>129</u> | STIPULATION and PROPOSED ORDER regarding Depositions of minor plaintiffs. (Stark, Jennifer) Modified on 2/3/2014 (Marciel, M) (Entered: 01/31/2014) |
| 02/05/2014 | <u>130</u> | STIPULATION and ORDER signed by District Judge Troy L. Nunley on 2/4/14 ORDERING that the parties be allowed to preserve the issue of taking the minors' depositions. The parties are given until 3/31/14, to inform the Court as to whether a briefing and hearing schedule should be established regarding this issue.(Mena-Sanchez, L) (Entered: 02/05/2014) |
| 02/26/2014 | 131 | MINUTE ORDER by Magistrate Judge Kendall J. Newman on 2/26/2014: ORDERING that, due to the Court's own unavailability, the 3/4/2014 Settlement Conference is VACATED and RESET for 4/1/2014 at 09:00 AM in Courtroom 25 (KJN) before Magistrate Judge Kendall J. Newman. (TEXT ONLY)(Caspar, M) (Entered: 02/26/2014) |
| 02/28/2014 | <u>132</u> | STIPULATION and PROPOSED ORDER for Filing of Third Amended Complaint by A. P., T. P., Mary Prasad. (Mantoan, Kathryn) (Entered: 02/28/2014) |
| 02/28/2014 | <u>133</u> | PETITION for <i>Appointment as Guardian Ad Litem for Minor N.S.</i> by Mary Prasad. (Attachments: # <u>1</u> Proposed Order)(Mantoan, Kathryn) (Entered: 02/28/2014) |
| 02/28/2014 | <u>134</u> | NOTICE of SETTLEMENT by A. P., T. P., Mary Prasad. (Mantoan, Kathryn) (Entered: 02/28/2014) |
| 03/03/2014 | <u>135</u> | ORDER signed by District Judge Troy L. Nunley on 3/3/2014 GRANTING <u>133</u> Petition for Appointment as Guardian Ad Litem; APPOINTING Mary Prasad as guardian ad litem for the minor N.S. (Michel, G) (Entered: 03/03/2014) |
| 03/03/2014 | <u>136</u> | ORDER signed by District Judge Troy L. Nunley on 3/3/2014 GRANTING <u>132</u> Stipulation affording the plaintiffs leave to file a Third Amended Complaint; ORDERING that the attached Third Amended Complaint be deemed filed and served as of the date of the entry of this Order. (Attachments: # <u>1</u> Exhibit A) (Michel, G) (Entered: 03/03/2014) |
| 03/03/2014 | <u>137</u> | THIRD AMENDED COMPLAINT against all defendants by N. S., T. P., Mary Prasad, A. P. (Michel, G) (Entered: 03/03/2014) |
| 03/13/2014 | 138 | MINUTE ORDER issued by Courtroom Deputy M. Krueger for District Judge Troy L. Nunley on 3/13/2014: Pursuant to the Notice of Settlement <u>134</u> filed on 2/28/2014, the Court determined this case has settled. Plaintiffs shall file the necessary documents to |

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| | | obtain Court approval of the Minors' Compromise on or before 4/14/2014. In accordance with the provisions of Local Rule 160, dispositional documents shall then be filed within 21 days after the Court's approval of the Minors' Compromise. Failure to comply with this order may be grounds for the imposition of sanctions on any and all counsel as well as any party or parties who cause non-compliance with this order. (TEXT ONLY ENTRY) (Krueger, M) (Entered: 03/13/2014) |
| 03/25/2014 | 139 | MINUTE ORDER by Courtroom Deputy M. Caspar for Magistrate Judge Kendall J. Newman on 3/25/2014: ORDERING that, in light of the Notice of Settlement <u>134</u> the 4/1/2014 settlement conference before Magistrate Judge Kendall J. Newman is hereby VACATED. (TEXT ONLY)(Caspar, M) (Entered: 03/25/2014) |
| 04/10/2014 | <u>140</u> | MOTION to APPROVE CONSENT JUDGMENT of Minors' Compromise and for Orders to deposit money into deposit money into blocked accounts by plaintiffs. Motion Hearing set for 5/8/2014 at 2:00 PM in Courtroom 2 (TLN) before District Judge Troy L. Nunley. (Attachments: # <u>1</u> Declaration of Michael W. Bien in support, # <u>2</u> Declaration of Mary Prasad in support, # <u>3</u> Proposed Order) (Bien, Michael) Modified on 4/11/2014 (Marciel, M) (Entered: 04/10/2014) |
| 04/10/2014 | <u>141</u> | NOTICE of REQUEST to Seal Document(s) pursuant to L.R. 141 by all plaintiffs. (Stark, Jennifer) Modified on 4/11/2014 (Marciel, M) (Entered: 04/10/2014) |
| 04/11/2014 | <u>142</u> | NOTICE of Request to Seal Document(s) pursuant to L.R. 141 by A. P., T. P., Mary Prasad, N. S.. (Fischer, Aaron) (Entered: 04/11/2014) |
| 04/17/2014 | <u>143</u> | ORDER GRANTING Plaintiffs' Request to File documents under seal signed by District Judge Troy L. Nunley on 4/16/14. (Mena-Sanchez, L) (Entered: 04/17/2014) |
| 04/17/2014 | <u>144</u> | SEALED EVENT. (Mena-Sanchez, L) (Entered: 04/17/2014) |
| 04/17/2014 | <u>145</u> | SEALED EVENT. (Mena-Sanchez, L) (Entered: 04/17/2014) |
| 04/28/2014 | <u>146</u> | STATEMENT of NON-OPPOSITION by County of Sutter to <u>140</u> Motion to Approve Minors' Compromise and for Orders to deposit money into blocked accounts. (Whitefleet, John) (Entered: 04/28/2014) |
| 05/02/2014 | 147 | MINUTE ORDER issued by Courtroom Deputy M. Krueger for District Judge Troy L. Nunley on 5/2/2014: On the Court's own motion, Plaintiffs' Motion for Approval of Minors' Compromise <u>140</u> is hereby SUBMITTED without oral argument. Accordingly, the hearing set for 5/8/2014 is VACATED. If the Court determines oral argument is necessary, it will be scheduled at a later date. (TEXT ONLY ENTRY) (Krueger, M) (Entered: 05/02/2014) |
| 05/21/2014 | <u>148</u> | STATEMENT of NON-OPPOSITION by Melody Young to <u>140</u> Motion to Approve Minors' Compromise and for Orders to deposit money into blocked accounts. (Williams, Kathleen) (Entered: 05/21/2014) |
| 05/21/2014 | <u>149</u> | ORDER signed by District Judge Troy L. Nunley on 5/20/14: Plaintiffs' Request to File Under Seal the Orders to Deposit Money is GRANTED. (Kaminski, H) (Entered: 05/21/2014) |
| 05/21/2014 | <u>150</u> | ORDER signed by District Judge Troy L. Nunley on 5/20/14: Plaintiffs' Motion for Approval of Minors' Compromise and for Orders to Deposit Money into Blocked Accounts is hereby GRANTED.(Kaminski, H) (Entered: 05/21/2014) |
| 05/21/2014 | <u>151</u> | SEALED EVENT. (Kaminski, H) (Entered: 05/21/2014) |
| 05/21/2014 | <u>152</u> | SEALED EVENT. (Kaminski, H) (Entered: 05/21/2014) |
| 05/21/2014 | <u>153</u> | SEALED EVENT. (Kaminski, H) (Entered: 05/21/2014) |
| 06/09/2014 | <u>155</u> | STATEMENT of Receipt and Acknowledgement of Orders to Deposit Money Into Blocked Accounts by Plaintiffs A. P., T. P., Mary Prasad, N. S.. (Mantoan, Kathryn) (Entered: 06/09/2014) |
| 06/11/2014 | <u>156</u> | STIPULATION FOR DISMISSAL of action, with prejudice, pursuant to F.R.Cv.P. Rule 41(a)(1)(A)(ii) by A. P., T. P., Mary Prasad, N. S. (Mantoan, Kathryn) Modified on 6/12/2014 (Michel, G). (Entered: 06/11/2014) |

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| 06/11/2014 | <u>157</u> | MINUTE ORDER issued by Courtroom Deputy M. Krueger for District Judge Troy L. Nunley on 6/11/2014: Pursuant to the parties' Stipulation of Dismissal <u>156</u> and FRCP 41(a)(1)(A)(ii), this case is DISMISSED with prejudice. CASE CLOSED. (TEXT ONLY ENTRY) (Krueger, M) (Entered: 06/11/2014) |
| 07/10/2014 | <u>158</u> | NOTICE of Request to Seal Document(s) pursuant to L.R. 141 by All Plaintiffs. (Fischer, Aaron) (Entered: 07/10/2014) |
| 07/14/2014 | <u>159</u> | SEALED EVENT (Reader, L) (Entered: 07/14/2014) |
| 07/31/2014 | <u>160</u> | ORDER signed by Magistrate Judge Carolyn K. Delaney on 7/30/2014 APPROVING request for disbursement from blocked account. (Donati, J) (Entered: 07/31/2014) |
| 07/31/2014 | <u>161</u> | SEALED EVENT (Donati, J) (Entered: 07/31/2014) |
| 10/27/2014 | <u>163</u> | SEALED EVENT. (Kaminski, H) (Entered: 10/27/2014) |
| 10/28/2014 | <u>165</u> | APPLICATION and ORDER signed by Magistrate Judge Carolyn K. Delaney on 10/27/14: The Court approves request and authorizes the withdrawal of the requested amount from the indicated blocked account for disbursement as to T.A.P. (Kaminski, H) (Entered: 10/28/2014) |
| 10/28/2014 | <u>166</u> | APPLICATION and ORDER signed by Magistrate Judge Carolyn K. Delaney on 10/27/14: The Court approves request and authorizes the withdrawal of the requested amount from the indicated blocked account for disbursement as to N.D.S. (Kaminski, H) (Entered: 10/28/2014) |
| 10/28/2014 | <u>167</u> | APPLICATION and ORDER signed by Magistrate Judge Carolyn K. Delaney on 10/27/14: The Court approves request and authorizes the withdrawal of the requested amount from the indicated blocked account for disbursement as to A.S.L.P.(Kaminski, H) (Entered: 10/28/2014) |
| 04/22/2015 | <u>168</u> | SEALED EVENT (Reader, L) (Entered: 04/22/2015) |
| 04/22/2015 | <u>169</u> | ORDER signed by Magistrate Judge Carolyn K. Delaney on 4/22/2015 GRANTING Application authorizing an interim disbursement of blocked account funds to Mary Prasad, in the amount of \$1,065.00 for Summer Day Camp as to T.A.P. (Reader, L) (Entered: 04/22/2015) |
| 04/22/2015 | <u>170</u> | ORDER signed by Magistrate Judge Carolyn K. Delaney on 4/22/2015 GRANTING Application authorizing an interim disbursement of blocked account funds to Mary Prasad, in the amount of \$1,065.00 for Summer Day Camp as to N.D.S. (Reader, L) (Entered: 04/22/2015) |
| 04/22/2015 | <u>171</u> | ORDER signed by Magistrate Judge Carolyn K. Delaney on 4/22/2015 GRANTING Application authorizing an interim disbursement of blocked account funds to Mary Prasad, in the amount of \$1,065.00 for Summer Day Camp as to A.S.L.P. (Reader, L) (Entered: 04/22/2015) |