

CIVIL,CLOSED

**U.S. District Court  
Eastern District of California – Live System (Fresno)  
CIVIL DOCKET FOR CASE #: 1:15-cv-01650-JAM-SAB**

Prison Legal News v. County of Tulare et al  
Assigned to: District Judge John A. Mendez  
Referred to: Magistrate Judge Stanley A. Boone  
Cause: 42:1983 Civil Rights Act

Date Filed: 10/29/2015  
Date Terminated: 07/06/2016  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Prison Legal News**  
*a project of the Human Rights Defense  
Center*

represented by **Lance Weber , PHV**  
Human Rights Defense Center  
P.O. Box 1151  
Lake Worth, FL 33460  
561-360-2523  
Fax: 866-735-7136  
Email: [lweber@humanrightsdefensecenter.org](mailto:lweber@humanrightsdefensecenter.org)  
**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Sabarish Neelakanta , PHV**  
Human Rights Defense Center  
P.O. Box 1151  
Lake Worth, FL 33460  
561-360-2523  
Fax: 561-735-7136  
Email: [sneelakanta@humanrightsdefensecenter.org](mailto:sneelakanta@humanrightsdefensecenter.org)  
**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Christopher David Hu**  
Rosen Bien Galvan & Grunfeld LLP  
50 Fremont Street  
19th Floor  
San Francisco, CA 94105  
(415) 433-6830  
Fax: (415) 433-7104  
Email: [chu@rbgg.com](mailto:chu@rbgg.com)  
**TERMINATED: 02/07/2020**

**Lisa Adrienne Ells**  
Rosen Bien Galvan and Grunfeld LLP  
50 Fremont Street  
19th Floor  
San Francisco, CA 94105  
415-433-6830  
Fax: 415-433-7104  
Email: [lells@rbgg.com](mailto:lells@rbgg.com)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Human Rights Defense Center**

represented by **Jeffrey L. Bornstein**  
Rosen Bien Galvan Grunfeld LLP  
101 Mission St.  
Sixth Floor  
San Francisco, CA 94105  
415-433-6830  
Fax: 415-433-7104  
Email: [JBornstein@rbgg.com](mailto:JBornstein@rbgg.com)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

V.

**Defendant**

**County of Tulare**

represented by **Kathleen A. Taylor**  
Tulare County Counsels Office  
2900 W. Burrel Ave.  
Visalia, CA 93291  
(559) 636-4971  
Fax: (559) 737-4319  
Email: [KTaylor@co.tulare.ca.us](mailto:KTaylor@co.tulare.ca.us)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Kevin Alan Stimmel**  
Tulare County Counsel  
2900 W Burrel  
County Civic Center  
Visalia, CA 93291  
(559) 636-4950  
Fax: (559) 737-4319  
Email: [k.stimmel@outlook.com](mailto:k.stimmel@outlook.com)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Mike Boudreaux**

*individually and in his capacity as  
Sheriff-Coroner of the County of Tulare*

represented by **Kathleen A. Taylor**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Kevin Alan Stimmel**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

| Date Filed | #        | Docket Text  |
|------------|----------|--|
| 10/29/2015 | <u>1</u> | COMPLAINT against All Defendants by Prison Legal News. Attorney Ells, Lisa Adrienne added. (Filing fee \$ 400, receipt number 0972-6150163) (Attachments: # <u>1</u> Civil Cover Sheet)(Ells, Lisa) (Entered: 10/29/2015)  |
| 10/29/2015 | <u>2</u> | NOTICE of RELATED CASE 2:11-CV-00907 by Prison Legal News. (Ells, Lisa) (Entered: 10/29/2015)  |
| 10/29/2015 | <u>3</u> | SUMMONS ISSUED as to *Mike Boudreaux* with answer to complaint due within *21* days. Attorney *Lisa Adrienne Ells* *Rosen Bien Galvan and Grunfeld LLP* *50 Fremont Street, 19th Floor* *San Francisco, CA 94105*. (Jessen, A) (Entered: 10/29/2015)   |
| 10/29/2015 | <u>4</u> | SUMMONS ISSUED as to *County of Tulare* with answer to complaint due within *21* days. Attorney *Lisa Adrienne Ells* *Rosen Bien Galvan and Grunfeld LLP* *50 Fremont Street, 19th Floor* *San Francisco, CA 94105*. (Jessen, A) (Entered: 10/29/2015)   |
| 10/29/2015 | <u>5</u> | CIVIL NEW CASE DOCUMENTS ISSUED: Status Conference re Consent / Initial Scheduling Conference set for 2/2/2016 at 09:45 AM in Courtroom 9 (SAB) before Magistrate Judge Stanley A. Boone. (Attachments: # <u>1</u> Order Assigning Action to Sac DJ, # <u>2</u> Consent Form, # <u>3</u> VDRP) (Jessen, A) (Entered: 10/29/2015) |

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| 10/30/2015 | <u>6</u>  | DECLINE to PROCEED BEFORE US MAGISTRATE JUDGE by Prison Legal News. (Ells, Lisa) (Entered: 10/30/2015)   |
| 11/02/2015 | 7         | MINUTE ORDER: (TEXT ENTRY ONLY) Due to the decline to magistrate jurisdiction, the Clerk's office is instructed to randomly assign a Sacramento District Judge to this case. Signed by Magistrate Judge Stanley A. Boone on 11/2/2015. (Hernandez, M) (Entered: 11/02/2015)  |
| 11/02/2015 | 8         | CLERK'S NOTICE: This case has been assigned to U.S. District Judge Mendez; the new case number is 1:15-cv-1650 JAM-SAB. (Martin-Gill, S) (Entered: 11/02/2015)   |
| 11/03/2015 | <u>9</u>  | SUMMONS RETURNED EXECUTED: County of Tulare served on 11/2/2015, answer due 11/23/2015. (Ells, Lisa) (Entered: 11/03/2015)   |
| 11/03/2015 | <u>10</u> | SUMMONS RETURNED EXECUTED: Mike Boudreaux served on 11/3/2015, answer due 11/24/2015. (Ells, Lisa) (Entered: 11/03/2015)   |
| 11/03/2015 | <u>11</u> | ORDER REQUIRING JOINT STATUS REPORT (Attachments: # <u>1</u> Order re Filing Requirements) (Donati, J) (Entered: 11/03/2015)   |
| 11/03/2015 | <u>12</u> | MOTION for PRELIMINARY INJUNCTION by Prison Legal News. Motion Hearing set for 12/16/2015 at 09:30 AM in Courtroom 6 (JAM) before Judge John A. Mendez. (Attachments: # <u>1</u> Proposed Order , # <u>2</u> Declaration of Paul Wright, # <u>3</u> Declaration of John Clark, # <u>4</u> Declaration of Jacob Chavez, # <u>5</u> Declaration of Eduardo Martinez, # <u>6</u> Declaration of John Moisa, # <u>7</u> Declaration of Michael Serna, # <u>8</u> Proof of Service)(Ells, Lisa) Modified on 11/4/2015 (Kastilahn, A). (Entered: 11/03/2015) |
| 11/04/2015 | <u>13</u> | PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Prison Legal News for attorney Lance Weber to appear Pro Hac Vice. (Filing fee \$ 200, receipt number 0972-6158211) (Attachments: # <u>1</u> Lance Weber Certificate of Good Standing)(Ells, Lisa) (Entered: 11/04/2015)  |
| 11/04/2015 | <u>14</u> | PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Prison Legal News for attorney Sabarish Neelakanta to appear Pro Hac Vice. (Filing fee \$ 200, receipt number 0972-6158241) (Attachments: # <u>1</u> Sabarish Neelakanta Certificate of Good Standing)(Ells, Lisa) (Entered: 11/04/2015)  |
| 11/04/2015 | <u>15</u> | SUMMONS RETURNED EXECUTED: (Attachments: # <u>1</u> Proof of Service)(Ells, Lisa) (Entered: 11/04/2015)  |
| 11/04/2015 | <u>16</u> | SUMMONS RETURNED EXECUTED: (Attachments: # <u>1</u> Proof of Service)(Ells, Lisa) (Entered: 11/04/2015)  |
| 11/05/2015 | <u>17</u> | PRO HAC VICE ORDER signed by Judge John A. Mendez on 11/4/15. Added attorney Sabarish Neelakanta, PHV for Prison Legal News.(Mena-Sanchez, L) (Entered: 11/05/2015)  |
| 11/05/2015 | <u>18</u> | PRO HAC VICE ORDER signed by Judge John A. Mendez on 11/4/15. Added attorney Lance Weber, PHV for Prison Legal News. (Mena-Sanchez, L) (Entered: 11/05/2015)   |
| 11/10/2015 | <u>19</u> | DECLARATION of Darrin Wright in SUPPORT OF <u>12</u> MOTION for PRELIMINARY INJUNCTION . (Attachments: # <u>1</u> Proof of Service)(Ells, Lisa) (Entered: 11/10/2015)  |
| 11/10/2015 | <u>20</u> | DECLARATION of Marwin McDarment in SUPPORT OF <u>12</u> MOTION for PRELIMINARY INJUNCTION . (Ells, Lisa) (Entered: 11/10/2015)   |
| 11/20/2015 | <u>21</u> | STIPULATION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT by Mike Boudreaux, County of Tulare. Attorney Stimmel, Kevin Alan added. (Stimmel, Kevin) (Entered: 11/20/2015)  |
| 11/20/2015 | <u>22</u> | CONSENT to JURISDICTION of US MAGISTRATE JUDGE by Mike Boudreaux, County of Tulare. (Stimmel, Kevin) (Entered: 11/20/2015)   |
| 12/02/2015 | <u>23</u> | OPPOSITION to <u>12</u> Motion for Preliminary Injunction by Mike Boudreaux, County of Tulare (Attachments: # <u>1</u> Declaration of Thomas Sigley, # <u>2</u> Declaration of Kevin Stimmel) (Stimmel, Kevin) Modified on 12/18/2015 (Michel, G.). (Entered: 12/02/2015)  |

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| 12/07/2015 | <u>24</u> | ANSWER with Jury Demand by Mike Boudreaux, County of Tulare.(Stimmel, Kevin) (Entered: 12/07/2015)   |
| 12/09/2015 | <u>25</u> | REPLY by Prison Legal News re <u>23</u> Opposition to Motion. (Attachments: # <u>1</u> Declaration of Paul Wright)(Hu, Christopher) (Entered: 12/09/2015)  |
| 12/16/2015 | 26        | MINUTES (Text Only) for proceedings before Judge John A. Mendez: Hearing on Plaintiff's motion for preliminary injunction held on 12/16/2015. After hearing argument, the Court ordered the matter submitted. Plaintiffs Counsel L. Ells present. Defendants Counsel K. Stimmel; A. Terrible present. Court Reporter: K. O'Halloran. (Vine, H) (Entered: 12/16/2015)   |
| 12/16/2015 | <u>27</u> | ORDER signed by Judge John A. Mendez on 12/16/2015 GRANTING-IN-PART and DENYING-IN-PART <u>12</u> Motion for Preliminary Injunction. (Donati, J) (Entered: 12/16/2015)   |
| 01/21/2016 | <u>28</u> | STIPULATION and PROPOSED ORDER for Continuance of Initial Scheduling Conference by Mike Boudreaux, County of Tulare. (Stimmel, Kevin) (Entered: 01/21/2016)  |
| 01/22/2016 | 29        | MINUTE ORDER: (TEXT ENTRY ONLY)Due to the decline to magistrate jurisdiction and assignment to U.S. District Judge Mendez, the Initial Scheduling Conference set for 2/2/2016 before Magistrate Judge Stanley A. Boone is taken off calendar. Signed by Magistrate Judge Stanley A. Boone on 1/22/2016. (Hernandez, M) (Entered: 01/22/2016)   |
| 02/10/2016 | 30        | MINUTE ORDER: The parties shall file a joint status report on or before February 26, 2016. (TEXT ENTRY ONLY) (Vine, H) (Entered: 02/10/2016)   |
| 02/22/2016 | <u>31</u> | STIPULATION and PROPOSED ORDER for appointment of Magistrate Judge Brennan to mediate Settlement Conference by Prison Legal News. (Attachments: # <u>1</u> Proposed Order) (Ells, Lisa) Modified on 2/26/2016 (Marciel, M) (Entered: 02/22/2016)   |
| 02/26/2016 | 32        | MINUTE ORDER: Settlement Conference set for 4/21/2016 at 10:00 AM in Courtroom 8 (EFB) before Magistrate Judge Edmund F. Brennan. The parties are directed to submit confidential settlement conference statements via e-mail (efborders@caed.uscourts.gov) to chambers seven (7) days prior to the settlement conference. Such statements are neither to be filed with the clerk nor served on opposing counsel. However, each party shall e-file a one page document entitled Notice of Submission of Confidential Settlement Conference Statement. The parties may agree, or not, to serve each other with the settlement statements. Each party is reminded of the requirement that it be represented in person at the settlement conference by a person able to dispose of the case or fully authorized to settle the matter at the settlement conference on any terms. See Local Rule 270. Ordered by Magistrate Judge Edmund F. Brennan on 2/26/2016. (Text only entry)(Cannarozzi, N) (Entered: 02/26/2016)  |
| 02/26/2016 | 33        | AMENDED MINUTE ORDER re: 32 . The hearing date for the Settlement Conference is RESET from 4/21/2016 to 4/7/2016 at 10:00 AM in Courtroom 8 (EFB) before Magistrate Judge Edmund F. Brennan. The parties are directed to submit confidential settlement conference statements via e-mail (efborders@caed.uscourts.gov) to chambers seven (7) days prior to the settlement conference. Such statements are neither to be filed with the clerk nor served on opposing counsel. However, each party shall e-file a one page document entitled Notice of Submission of Confidential Settlement Conference Statement. The parties may agree, or not, to serve each other with the settlement statements. Each party is reminded of the requirement that it be represented in person at the settlement conference by a person able to dispose of the case or fully authorized to settle the matter at the settlement conference on any terms. See Local Rule 270. Ordered by Magistrate Judge Edmund F. Brennan on 2/26/2016. (Text only entry)(Cannarozzi, N) (Entered: 02/26/2016) |
| 02/26/2016 | <u>34</u> | STIPULATION and ORDER <u>31</u> for Settlement Judge assignment signed by District Judge John A. Mendez on 2/25/2016. Court, having reviewed parties' Joint Stipulation and good cause appearing, Magistrate Judge Edmund F. Brennan is hereby APPOINTED to mediate a Settlement Conference. (Marciel, M) (Entered: 02/26/2016)  |

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| 02/29/2016 | <u>35</u> | SECOND AMENDED MINUTE ORDER: The previously issued Minute Order 33 is VACATED. The Settlement Conference will remain set for 4/21/2016 at 10:00 AM in Courtroom 8 (EFB) before Magistrate Judge Edmund F. Brennan. The parties are directed to submit confidential settlement conference statements via e-mail (efborders@caed.usco urts.gov) to chambers seven (7) days prior to the settlement conference. Such statements are neither to be filed with the clerk nor served on opposing counsel. However, each party shall e-file a one page document entitled Notice of Submission of Confidential Settlement Conference Statement. The parties may agree, or not, to serve each other with the settlement statements. Each party is reminded of the requirement that it be represented in person at the settlement conference by a person able to dispose of the case or fully authorized to settle the matter at the settlement conference on any terms. See Local Rule 270. Ordered by Magistrate Judge Edmund F. Brennan on 2/29/2016. (Text only entry) (Cannarozzi, N) (Entered: 02/29/2016) |
| 04/14/2016 | <u>36</u> | NOTICE of Submission of Confidential Settlement Conference Statement by Prison Legal News. (Ells, Lisa) (Entered: 04/14/2016)  |
| 04/14/2016 | <u>37</u> | NOTICE of Submission of Confidential Settlement Conference Statement by All Defendants. Attorney Taylor, Kathleen A. added. (Taylor, Kathleen) (Entered: 04/14/2016)   |
| 04/21/2016 | <u>38</u> | MINUTES (Text Only) for SETTLEMENT CONFERENCE held on 4/21/2016 before Magistrate Judge Edmund F. Brennan: All parties present. After discussions with the Court, the case was settled. The terms of the settlement were placed on the record. Court order to issue. Plaintiffs Counsel Lisa Ells present. Defendants Counsel Kevin Stimmel and Kathleen Taylor present. Court Reporter/CD Number: ECRO, CD 1 of 1. (Cannarozzi, N) (Entered: 04/21/2016)  |
| 04/22/2016 | <u>39</u> | ORDER signed by Magistrate Judge Edmund F. Brennan on 04/21/16 ORDERING that the proposed consent decree shall be submitted to the district judge with 21 days; parties shall submit a stipulated briefing schedule on the anticipated motion for attorney's fees. All hearing dates set in this matter are VACATED. (Benson, A) (Entered: 04/22/2016)   |
| 05/20/2016 | <u>40</u> | JOINT STATEMENT re Proposed Consent Decree. (Hu, Christopher) Modified on 5/20/2016 (Becknal, R). (Entered: 05/20/2016)  |
| 06/24/2016 | <u>41</u> | STIPULATION and PROPOSED ORDER for Extension of Time to File Consent Decree by Mike Boudreaux, County of Tulare. (Taylor, Kathleen) (Entered: 06/24/2016)  |
| 06/24/2016 | <u>42</u> | STIPULATION and ORDER signed by District Judge John A. Mendez on 6/24/2016 GRANTING Request for Extension of Time to File Consent Decree. The parties shall file their consent decree no later than 7/1/2016. (Donati, J) (Entered: 06/24/2016)  |
| 07/01/2016 | <u>43</u> | STIPULATION and Proposed Consent Decree by Mike Boudreaux, County of Tulare. (Taylor, Kathleen) Modified on 7/1/2016 (Becknal, R). (Entered: 07/01/2016)   |
| 07/06/2016 | <u>44</u> | STIPULATION and CONSENT DECREE signed by District Judge John A. Mendez on 07/05/2016. CASE CLOSED. (Jackson, T) (Entered: 07/06/2016)  |
| 07/07/2016 | <u>45</u> | STIPULATION and PROPOSED ORDER for Setting Briefing Schedule by Mike Boudreaux, County of Tulare. (Taylor, Kathleen) (Entered: 07/07/2016)   |
| 07/08/2016 | <u>46</u> | STIPULATION and ORDER signed by District Judge John A. Mendez on 7/7/2016 ORDERING that plaintiff's fee application is to be filed on or before 9/1/2016. Defendants' opposition to plaintiff's fee application to be filed on or before 9/30/2016. Plaintiff's reply in support of their fee application to be filed on or before 10/11/2016. The hearing on this motion shall be set for 10/18/2016 at 1:30 PM before Judge Mendez. (Zignago, K.) (Entered: 07/08/2016)  |
| 08/08/2016 | <u>47</u> | NOTICE of ACCEPTANCE with OFFER of JUDGMENT by Prison Legal News. (Attachments: # <u>1</u> Proof of Service)(Ells, Lisa) (Entered: 08/08/2016)   |
| 08/08/2016 | <u>48</u> | [PROPOSED] Judgment re <u>47</u> Notice of Acceptance with Offer of Judgment – ATY by Prison Legal News. (Ells, Lisa) Modified on 8/9/2016 (Mena-Sanchez, L). (Entered: 08/08/2016)  |

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| 08/09/2016 | <u>49</u> | JUDGMENT signed by District Judge John A. Mendez on 8/8/16 ORDERING that judgment is granted in favor of Plaintiff in the amount of \$140,000.00 against Defendants for Plaintiff's attorneys' fees and costs accrued as of 8/4/2016, the date of Defendants' Offer of Judgment. Plaintiff's equitable and damages claims were previously resolved pursuant to the parties' stipulation and consent decree, which this Court entered on 7/5/2016. (Kastilahn, A) (Entered: 08/09/2016) |
| 02/07/2020 | <u>50</u> | NOTICE of RELATED CASE(S) 20-cv-00285 by Human Rights Defense Center. Attorney Bornstein, Jeffrey L. added. (Bornstein, Jeffrey) (Entered: 02/07/2020)   |
| 02/18/2020 | <u>51</u> | NOTICE of RELATED CASE(S) 20-cv-00359-WBS-DMC by Human Rights Defense Center. (Bornstein, Jeffrey) (Entered: 02/18/2020)   |