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11 Attorneys for Defendant COUNTY OF RIVERSIDE

12
13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 QUINTON GRAY, et al., on behalf of
16 themselves and all others similarly
17 situated,

18 Plaintiffs,

19 v.

20 COUNTY OF RIVERSIDE,
21 Defendant.

CASE NO. EDCV13-0444 VAP (OP)

CLASS ACTION

JOINT STATUS REPORT RE
MEDIATION EFFORTS AND
ONGOING DISCUSSIONS BETWEEN
COUNSEL

JUDGE: Hon. Virginia Phillips

DATE: TBD

TIME: TBD

COURTROOM: 8A

LOCATION: 350 W. First Street, Los
Angeles, CA 90012

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25 **TO THE HONORABLE COURT:**

26 Counsel for PLAINTIFFS, QUINTON GRAY, et al., on behalf of themselves and all
27 others similarly situated, and counsel for DEFENDANT, COUNTY OF RIVERSIDE
28

1 hereby offer the following Joint Status Report concerning mediation effort and ongoing
2 discussions between counsel:

3 1. On April 6, 2020, Plaintiff Quinton Gray (“Plaintiff”) filed a document
4 captioned “Emergency Motion to Enforce Consent Decree.” (“Motion,” Dkt. 177).
5 Defendant County of Riverside (“Defendant”) opposed the Motion on April 10, 2020
6 (“Opp.,” Dkt. 183).
7

8 2. On April 13, 2020, counsel for the Parties appeared before this Court at a
9 hearing on the Emergency Motion.
10

11 3. Following the hearing, the Court ordered that the Parties proceed with
12 mediation before Judge Ramirez on April 17, 2020.
13

14 4. The Court further granted Plaintiffs’ request that Defendant be required “to
15 develop and implement a plan to minimize the spread of COVID-19 in the Riverside County
16 jails, consistent with the guidance of the Centers for Disease Control and Prevention (CDC)
17 and the Court experts”.
18

19 5. On April 17, 2020, the Parties engaged in a telephonic mediation with Judge
20 Ramirez. Throughout the mediation, Defendants provided information which satisfied a
21 significant number of the issues posed by Plaintiffs. Additionally, Defendant is in process
22 of preparing a written plan to provide to Plaintiffs, pursuant to the April 14, 2020 Order of
23 this Court.
24

25 6. Defendant agreed to provide certain information to counsel for Plaintiffs,
26 including:
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28

1 a. A written plan detailing the steps that Behavioral Health has taken and will take
2 to provide stimulation for inmates, both those in quarantine/isolation and those
3 not. This document was provided to counsel for Plaintiffs on Tuesday, April
4 21, 2020;

5
6 b. Further details concerning the inmate population, including identification by
7 Correctional Health Services of the number of those inmates who may be at a
8 higher risk of severe illness from COVID-19 due to factors such as age and
9 underlying health condition. This document was provided to counsel for
10 Plaintiffs on Wednesday, April 22, 2020;

11
12 c. A written plan detailing the Sheriff's Department's efforts and commitments to
13 combat the spread of COVID-19 in the jails, including changes in housing,
14 sanitation practices, and personal hygiene. This document was provided to
15 counsel for Plaintiffs on Tuesday, April 21, 2020.

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18 7. Additional documents requested by counsel for Plaintiffs are being prepared
19 and will be provided to counsel on Friday, April 24, 2020.

20
21 8. Furthermore, the parties have established a process for providing updated
22 information to Plaintiffs' counsel concerning the testing for and occurrences of COVID-19
23 in the jails. For the length of time that the State of Emergency declared by Governor
24 Newsom on March 4, 2020 exists in California, Plaintiffs' counsel will be provided with the
25 following information every Monday, Wednesday, and Friday:
26

27 a. the number of COVID-19 tests performed on the incarcerated population;
28

- b. the number of confirmed cases among people living in the jails (including names, booking numbers, and locations) and the number of confirmed cases among jail staff to the extent that information is known and available;
- c. the number of people living in the jails who are on quarantine or medical isolation and their location;
- d. the number of people living in the jails who have been sent to the hospital with COVID-19 complications; and
- e. the number of deaths among people living in the jails, and among staff to the extent that information is known and available.

9. All information referenced in Paragraph 6(b), 7, and 8 and provided to Plaintiffs' counsel will be subject to the Stipulated Protective Order in this matter, signed by the Court on October 21, 2013 (Docket No. 19).

10. It is anticipated by counsel that the parties will be able to reach agreement on any outstanding issues. If additional issues remain, counsel agree to return to Judge Ramirez on an expedited basis for further mediation assistance.

Dated: April 24, 2020

By: */s/ Sara Norman*
 SARA NORMAN
 THE PRISON LAW OFFICE
 Attorneys for Plaintiffs,
 QUINTON GRAY et al.

Dated: April 24, 2020

By: */s/ Art Cunningham*
 ARTHUR K. CUNNINGHAM
 LEWIS BRISBOIS BISGAARD & SMITH LLP
 Attorneys for Defendant,
 COUNTY OF RIVERSIDE

1 Pursuant to Local Rule 5-4.3.4(a)(2)(i), I, ARTHUR K. CUNNINGHAM, attest that
2 all signatories listed, and on whose behalf the filing is submitted, concur in the filing's
3 content and have authorized the filing.

4 */s/ Art Cunningham*

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PROOF OF SERVICE

United States District Court Case No. 5:13-cv-00444-VAP-OP

I, the undersigned, say that I am a citizen of the United States and am employed in the county of Riverside, over the age of 18 years and not a party to the within action or proceeding; that my business address is: 3960 Orange Street, Suite 500, Riverside, CA 92501-3611.

On April 24, 2020, a true and correct copy of the foregoing document entitled:

JOINT STATUS REPORT RE MEDIATION EFFORTS AND ONGOING DISCUSSIONS BETWEEN COUNSEL

was served on all parties pursuant to FRCivP 5(b) as follows:

<p>Donald Specter Prison Law Office 1917 Fifth Street Berkeley, CA 94710 510-280-2621 Fax: 510-280-2704 Email: dspecter@prisonlaw.com</p>	<p>Arthur Kenneth Cunningham Lewis Brisbois Bisgaard and Smith LLP Tri-City Corp Center 650 East Hospitality Lane Suite 600 San Bernardino, CA 92408-3508 909-387-1130 Fax: 909-387-1138 Email: akcatty@lbbslaw.com</p>
<p>Sara Linda Norman Prison Law Office 1917 Fifth Street Berkeley, CA 94710 510-280-2621 Fax: 510-280-2704 Email: snorman@prisonlaw.com</p>	<p>Christopher D Lockwood Arias and Lockwood 1881 South Business Center Drive Suite 9A San Bernardino, CA 92408 909-890-0125 Fax: 909-890-0185 Email: christopher.Lockwood@ariaslockwood.com</p>
<p>Shawn Everett Hanson Akin Gump Strauss Hauer and Feld LLP 580 California Street 15th Floor San Francisco, CA 94104-1036 415-765-9500 Fax: 415-765-9501 Email: shanson@akingump.com</p>	<p>Stephanie Joy M Tanada Lewis Brisbois Bisgaard and Smith LLP Tri-City Corp Center 650 Hospitality Lane Suite 600 San Bernardino, CA 92408-3508 909-387-1130 Fax: 909-387-1138 Email: tanada@lbbslaw.com</p>
<p>Danielle C Ginty Akin Gump Strauss Hauer & Feld LLP 580 California Street Suite 1500 San Francisco, CA 94104 415-765-9500 Fax: 415-765-9501 Email: dginty@akingump.com</p>	

1 TO BE SERVED BY THE COURT VIA THE NOTICE OF ELECTRONIC FILING
2 (NEF). Pursuant to L.R. 5-3.2.3, the foregoing document will be served by the
3 court via NEF and hyperlink to the document. I checked the CM/ECF docket for this
4 case or adversary proceeding and determined that the following persons are on the
5 Electronic Mail Notice List to receive NEF transmission at the addresses stated.

6 I declare under penalty of perjury under the laws of the United States of America,
7 State of California that the foregoing is true and correct.

8 Executed on April 24, 2020, at Riverside, California.

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/s/ Michelle Quiroz

Michelle Quiroz