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15 Attorneys for Plaintiffs

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 JESSE HERNANDEZ, CYNTHIA  
AGUILAR, HA COBB, GEORGE GREIM,  
19 DENNIS GUYOT, GLENDA HUNTER,  
ALBERT KEY, WESLEY MILLER,  
20 RICHARD MURPHY, JEFF NICHOLS,  
SARAB SARABI, and ROBERT YANCEY,  
21 on behalf of themselves and all others  
similarly situated,

22 Plaintiffs,

23 v.

24 COUNTY OF MONTEREY; MONTEREY  
25 COUNTY SHERIFF’S OFFICE;  
CALIFORNIA FORENSIC MEDICAL  
26 GROUP, INCORPORATED, a California  
corporation; and DOES 1 to 20, inclusive,  
27

28 Defendants.

Case No. CV 13 2354 PSG

**STIPULATION AND [PROPOSED]  
ORDER**

Judge: Hon. Paul S. Grewal

1 WHEREAS, Plaintiffs JESSE HERNANDEZ, CYNTHIA AGUILAR, HA COBB,  
2 GEORGE GREIM, DENNIS GUYOT, GLENDA HUNTER, ALBERT KEY, WESLEY  
3 MILLER, RICHARD MURPHY, JEFF NICHOLS, SARAB SARABI, and ROBERT  
4 YANCEY (“Plaintiffs”), on behalf of themselves and all others similarly situated, filed a  
5 complaint in this Court on May 23, 2013 and filed a First Amended Complaint on  
6 October 31, 2013 (the “Action”); and

7 WHEREAS, Defendants COUNTY OF MONTEREY and MONTEREY COUNTY  
8 SHERIFF’S OFFICE, through their counsel, Deputy County Counsel Susan K. Blich,  
9 waived service of the First Amended Complaint on November 27, 2013, and Defendant  
10 CALIFORNIA FORENSIC MEDICAL GROUP, INCORPORATED (“CFMG”), through  
11 its counsel, Peter Bertling (collectively “Defendants”), waived service of the First  
12 Amended Complaint on November 25, 2013; and

13 WHEREAS, the parties previously entered into a Stipulation and Proposed Order  
14 staying the Action until January 1, 2014, which the Court entered on July 29, 2013; and

15 WHEREAS, the parties seek to continue working towards a settlement of the  
16 Action; and

17 WHEREAS, certain court deadlines apply to the Action, including that Defendants’  
18 must respond to the First Amended Complaint no later than February 3, 2014;

19 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and  
20 between the parties to the Action, through their respective counsel, as follows:

21 1. All deadlines otherwise applicable to the Action shall be stayed until  
22 February 17, 2014 (the “stay period”), to allow the parties time to: (1) to engage in  
23 negotiations aimed at achieving mutually agreeable relief and (2) develop remedial plans  
24 to improve conditions in Monterey County Jail; and

25 2. By February 17, 2014, Defendants shall provide to Plaintiffs a draft remedial  
26 plan to improve the delivery of medical care at Monterey County Jail; and

27 3. During the stay period, Plaintiffs and Defendants will meet and confer  
28 regarding the structure of an agreement to settle Plaintiffs’ claims against Defendants; and

1 4. Defendants' response to Plaintiffs' First Amended Complaint is due no later  
2 than March 5, 2014; and

3 5. Nothing in this Stipulation shall be construed as a waiver of any party's  
4 rights or an admission of liability by any Defendant.

5 IT IS SO STIPULATED.

6 DATED: January 14, 2014 ROSEN BIEN GALVAN & GRUNFELD LLP

7 By: /s/ Gay Crosthwait Grunfeld  
8 Gay Crosthwait Grunfeld

9 DATED: January 14, 2014 OFFICE OF THE PUBLIC DEFENDER  
10 COUNTY OF MONTEREY

11 By: /s/ James Egar  
12 James Egar, Public Defender

13 DATED: January 14, 2014 AMERICAN CIVIL LIBERTIES UNION  
14 FOUNDATION OF NORTHERN CALIFORNIA

15 By: /s/ Alan Schlosser  
16 Alan Schlosser

17 DATED: January 14, 2014 ACLU NATIONAL PRISON PROJECT

18 By: /s/ Eric Balaban  
19 Eric Balaban

20 Attorneys for Plaintiffs

21 DATED: January 14, 2014 OFFICE OF THE COUNTY COUNSEL  
22 COUNTY OF MONTEREY

23 By: /s/ Susan K. Blich  
24 Susan K. Blich

25 Senior Deputy County Counsel  
26 Attorneys for Defendants  
27 COUNTY OF MONTEREY and  
28 MONTEREY COUNTY SHERIFF'S OFFICE

1 DATED: January 14, 2014

BERTLING & CLAUSEN, L.L.P.

2 By:

/s/ Peter G. Bertling

Peter G. Bertling

4 Attorneys for Defendant  
CALIFORNIA FORENSIC MEDICAL GROUP,  
5 INCORPORATED

7 Pursuant to Northern District General Order 45(X)(B), I hereby attest that I have on  
8 file approvals for any signatures indicated by a “conformed” signature (/s/) within this e-  
9 filed document.

10

11 DATED: January 14, 2014

ROSEN BIEN GALVAN & GRUNFELD LLP

12 By:

/s/ Gay Crosthwait Grunfeld

Gay Crosthwait Grunfeld

14 Attorneys for Plaintiffs

15

16

17 **PROPOSED ORDER**

18 The Court, having reviewed the above Stipulation of the parties, and good cause  
19 appearing, hereby ORDERS that any currently pending deadlines, including Defendants’  
20 deadline for responding to Plaintiffs’ First Amended Complaint, are hereby vacated and  
21 this Action is stayed until February 17, 2014. On or before February 28, 2014, the parties  
22 shall inform the Court of the status of the matter and request that the Court-ordered  
23 deadlines be reset.

24 **IT IS SO ORDERED.**

25

26 DATED: \_\_\_\_\_, 2014

\_\_\_\_\_  
27 Paul S. Grewal  
Magistrate Judge of the U.S. District Court

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