

ADRMOP,CLOSED,ENETERM,REFSET-NC,RELATE

**U.S. District Court  
California Northern District (San Jose)  
CIVIL DOCKET FOR CASE #: 5:14-cv-02730-BLF**

Joshua Claypole et al. v. County of San Mateo et al  
Assigned to: Judge Beth Labson Freeman  
Referred to: Magistrate Judge Paul Singh Grewal  
Magistrate Judge Nathanael M. Cousins (Settlement)  
Relate Case Case: 5:16-cv-02375-BLF  
Cause: 42:1983 Civil Rights Act

Date Filed: 06/12/2014  
Date Terminated: 03/30/2016  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Joshua Claypole**  
*deceased, by and through Silvia  
Guersenzvaig, as Administrator*

represented by **Dan Lewis Stormer**  
Hadsell Stormer & Renick LLP  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

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**Plaintiff**

**Silvia Guersenzvaig**

represented by **Dan Lewis Stormer**  
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**LEAD ATTORNEY**  
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**Joshua Piovia-Scott**  
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**Lori Rifkin**  
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**ATTORNEY TO BE NOTICED**

**Mohammad K Tajsar**  
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V.

**Defendant**

**County of San Mateo**  
*TERMINATED: 09/23/2015*

represented by **David A. Levy**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Sheriff Greg Munks**  
*in his individual and official capacity*  
*TERMINATED: 09/22/2015*

represented by **David A. Levy**  
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**Adam Wells Ely**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**County Of Monterey**

represented by **Irven L. Grant**  
Monterey County Office of County  
Counsel  
168 W. Alisal Street, Third Floor  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Sheriff Scott Miller**  
*in his individual and official capacity*

represented by **Irven L. Grant**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Susan K. Blich**  
(See above for address)  
*LEAD ATTORNEY*  
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**Janet L. Holmes**  
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**Michael Rudolph Philippi**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Merrill Litt**  
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**Defendant**

**Sergeant E. Kaye**  
*in his individual and official capacity*

represented by **Irven L. Grant**  
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*LEAD ATTORNEY*  
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**Susan K. Blich**  
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**Janet L. Holmes**

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**Michael Rudolph Philippi**  
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**William Merrill Litt**  
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**Defendant**

**City of Monterey**

represented by **Amanda Michelle Cohen**  
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28 Seascapes Village  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Mont. PD Chief Philip Penko**  
*in his individual and official capacity*

represented by **Amanda Michelle Cohen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ryan M. Thompson**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Brent Hall**  
*in his individual and official capacity*

represented by **Amanda Michelle Cohen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ryan M. Thompson**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**California Forensic Medical Group**

represented by **Peter G. Bertling**  
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*LEAD ATTORNEY*  
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**Jemma A. Parker Saunders**  
Bertling Law Group

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 8058797558  
 Fax: 8059620722  
 Email: [jemma@bertlinglawgroup.com](mailto:jemma@bertlinglawgroup.com)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Dr. Taylor Fithian**  
*in his individual and official capacity*

represented by **Peter G. Bertling**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Jemma A. Parker Saunders**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Community Hospital of Monterey Peninsula**  
*TERMINATED: 09/24/2015*

represented by **Cyrus A. Tabari**  
 Sheuerman Martini & Tabari  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Movant**

**Estate of Sandra Vela**

represented by **Lori Rifkin**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/12/2014	<u>1</u>	COMPLAINT <i>for Damages</i> against All Defendants ( Filing fee \$ 400, receipt number 0971-8691979.). Filed by Silvia Guersenzvaig, Joshua Claypole. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Civil Cover Sheet)(Stormer, Dan) (Filed on 6/12/2014) (Entered: 06/12/2014)
06/12/2014	<u>2</u>	Proposed Summons. (Stormer, Dan) (Filed on 6/12/2014) (Entered: 06/12/2014)
06/12/2014	<u>3</u>	Certificate of Interested Entities by Joshua Claypole, Silvia Guersenzvaig re <u>1</u> Complaint, (Stormer, Dan) (Filed on 6/12/2014) (Entered: 06/12/2014)
06/13/2014	4	Case assigned to Magistrate Judge Paul Singh Grewal.  Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a> .  Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a> . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. (sv, COURT STAFF) (Filed on 6/13/2014) (Entered: 06/13/2014)

06/13/2014	<u>5</u>	Summons Issued as to California Forensic Medical Group, City of Monterey, Community Hospital of Monterey Peninsula, County Of Monterey, County of San Mateo, Taylor Fithian, Brent Hall, E. Kaye, Scott Miller, Greg Munks, Philip Penko. (cv, COURT STAFF) (Filed on 6/13/2014) (Entered: 06/13/2014)
06/13/2014	<u>6</u>	<b>Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 10/14/2014. Case Management Conference set for 10/21/2014 10:00 AM in Courtroom 5, 4th Floor, San Jose. (cv, COURT STAFF) (Filed on 6/13/2014) (Entered: 06/13/2014)</b>
06/16/2014	<u>7</u>	NOTICE of Appearance by Mohammad K Tajsar (Tajsar, Mohammad) (Filed on 6/16/2014) (Entered: 06/16/2014)
06/16/2014	<u>8</u>	NOTICE of Appearance by Joshua Piovia-Scott (Piovia-Scott, Joshua) (Filed on 6/16/2014) (Entered: 06/16/2014)
06/27/2014	<u>9</u>	MOTION to Relate Case filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Declaration in Support of Motion to Consider Whether Cases Should be Related)(Tajsar, Mohammad) (Filed on 6/27/2014) (Entered: 06/27/2014)
06/30/2014	<u>10</u>	CLERK'S NOTICE Re: Consent or Declination: Plaintiffs shall file a consent or declination to proceed before a magistrate judge within 14 days of this notice, by 7/14/2014. *** <b>This is a text only docket entry, there is no document associated with this notice.</b> *** (ofr, COURT STAFF) (Filed on 6/30/2014) (Entered: 06/30/2014)
07/08/2014	<u>11</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Joshua Claypole, Silvia Guersenzvaig.. (Tajsar, Mohammad) (Filed on 7/8/2014) (Entered: 07/08/2014)
07/28/2014	<u>12</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by County of San Mateo, Greg Munks.. (Levy, David) (Filed on 7/28/2014) (Entered: 07/28/2014)
07/28/2014	<u>13</u>	CLERK'S NOTICE OF IMPENDING REASSIGNMENT TO A U.S. DISTRICT COURT JUDGE: The Clerk of this Court will now randomly reassign this case to a District Judge because either (1) a party has not consented to the jurisdiction of a Magistrate Judge, or (2) time is of the essence in deciding a pending judicial action for which the necessary consents to Magistrate Judge jurisdiction have not been secured. You will be informed by separate notice of the district judge to whom this case is reassigned. ALL HEARING DATES PRESENTLY SCHEDULED BEFORE THE CURRENT MAGISTRATE JUDGE ARE VACATED AND SHOULD BE RE-NOTICED FOR HEARING BEFORE THE JUDGE TO WHOM THIS CASE IS REASSIGNED. <i>This is a text only docket entry; there is no document associated with this notice.</i> (ofr, COURT STAFF) (Filed on 7/28/2014) (Entered: 07/28/2014)
07/28/2014	<u>14</u>	<b>ORDER by Judge Paul S. Grewal denying <u>9</u> Motion to Relate Case. 5:14-cv-02730-PSG Not Related to 5:13-cv-02354-PSG. (ofr, COURT STAFF) (Filed on 7/28/2014) (Entered: 07/28/2014)</b>
07/28/2014	<u>15</u>	<b>ORDER REASSIGNING CASE. Case reassigned to Hon. Beth Labson Freeman for all further proceedings. Magistrate Judge Paul Singh Grewal remains as the referral judge assigned to the case. Reassignment Order signed by Executive Committee on 7/28/2014. (bw, COURT STAFF) (Filed on 7/28/2014) (Entered: 07/28/2014)</b>
07/29/2014	<u>16</u>	CLERKS NOTICE SETTING CASE MANAGEMENT CONFERENCE FOLLOWING REASSIGNMENT Case Management Statement due by 12/04/2014. Case Management Conference set for 12/11/2014 01:30 PM in Courtroom 3, 5th Floor, U.S. District Court 280 South First Street San Jose, CA 95113. *** <b>THIS IS A TEXT-ONLY NOTICE. THERE IS NO DOCUMENT ASSOCIATED WITH THIS DOCKET ENTRY</b> *** (tsh, COURT STAFF) (Filed on 7/29/2014) (Entered: 07/29/2014)
07/30/2014	<u>17</u>	Proof of Service of Documents served to defendant Sheriff Munks re <u>3</u> Certificate of Interested Entities, <u>11</u> Consent/Declination to Proceed Before a US Magistrate Judge, <u>7</u> Notice of Appearance, 4 Case Assigned by Intake,,, 10 Clerk's Notice re: Consent or Declination, <u>8</u> Notice of Appearance, <u>1</u> Complaint, <u>5</u> Summons Issued, <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines by Joshua Claypole, Silvia



		Guersenzvaig (Tajsar, Mohammad) (Filed on 7/30/2014) Text modified on 7/30/2014 (bw, COURT STAFF). (Entered: 07/30/2014)
07/30/2014	<u>18</u>	Proof of Service List of Documents as to defendant Dr. Fithian in by Joshua Claypole, Silvia Guersenzvaig re <u>3</u> Certificate of Interested Entities, <u>11</u> Consent/Declination to Proceed Before a US Magistrate Judge, <u>7</u> Notice of Appearance, <u>4</u> Case Assigned by Intake,,, <u>10</u> Clerk's Notice re: Consent or Declination, <u>8</u> Notice of Appearance, <u>1</u> Complaint, <u>5</u> Summons Issued, <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines by Joshua Claypole, Silvia Guersenzvaig (Tajsar, Mohammad) (Filed on 7/30/2014) Modified on 7/30/2014 (bw, COURT STAFF). (Entered: 07/30/2014)
07/30/2014	<u>19</u>	Proof of Service List of Documents as to defendant County of San Mateo re <u>3</u> Certificate of Interested Entities, <u>11</u> Consent/Declination to Proceed Before a US Magistrate Judge, <u>7</u> Notice of Appearance, <u>4</u> Case Assigned by Intake,,, <u>10</u> Clerk's Notice re: Consent or Declination, <u>8</u> Notice of Appearance, <u>1</u> Complaint, <u>5</u> Summons Issued, <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines by Joshua Claypole, Silvia Guersenzvaig (Tajsar, Mohammad) (Filed on 7/30/2014) Text modified on 7/30/2014 (bw, COURT STAFF). (Entered: 07/30/2014)
07/30/2014	<u>20</u>	Proof of Service Summons in Civil Action as to defendant County of Monterey re <u>3</u> Certificate of Interested Entities, <u>11</u> Consent/Declination to Proceed Before a US Magistrate Judge, <u>7</u> Notice of Appearance, <u>4</u> Case Assigned by Intake,,, <u>10</u> Clerk's Notice re: Consent or Declination, <u>8</u> Notice of Appearance, <u>1</u> Complaint, <u>5</u> Summons Issued, <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines by Joshua Claypole, Silvia Guersenzvaig (Tajsar, Mohammad) (Filed on 7/30/2014) Text modified on 7/30/2014 (bw, COURT STAFF). (Entered: 07/30/2014)
07/30/2014	<u>21</u>	Proof of Service Summons in Civil Action as to defendant Community Hospital of the Monterey Peninsula re <u>3</u> Certificate of Interested Entities, <u>11</u> Consent/Declination to Proceed Before a US Magistrate Judge, <u>7</u> Notice of Appearance, <u>4</u> Case Assigned by Intake,,, <u>10</u> Clerk's Notice re: Consent or Declination, <u>8</u> Notice of Appearance, <u>1</u> Complaint, <u>5</u> Summons Issued, <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines by Joshua Claypole, Silvia Guersenzvaig (Tajsar, Mohammad) (Filed on 7/30/2014) Text modified on 7/30/2014 (bw, COURT STAFF). (Entered: 07/30/2014)
07/30/2014	<u>22</u>	Proof of Service Summons in Civil Action as to defendant City of Monterey by Joshua Claypole, Silvia Guersenzvaig re <u>3</u> Certificate of Interested Entities, <u>11</u> Consent/Declination to Proceed Before a US Magistrate Judge, <u>7</u> Notice of Appearance, <u>4</u> Case Assigned by Intake,,, <u>10</u> Clerk's Notice re: Consent or Declination, <u>8</u> Notice of Appearance, <u>1</u> Complaint, <u>5</u> Summons Issued, <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines by Joshua Claypole, Silvia Guersenzvaig (Tajsar, Mohammad) (Filed on 7/30/2014) Text modified on 7/30/2014 (bw, COURT STAFF). (Entered: 07/30/2014)
07/30/2014	<u>23</u>	Proof of Service Summons in Civil Action as to defendant Chief Philip Penko re <u>3</u> Certificate of Interested Entities, <u>11</u> Consent/Declination to Proceed Before a US Magistrate Judge, <u>7</u> Notice of Appearance, <u>4</u> Case Assigned by Intake,,, <u>10</u> Clerk's Notice re: Consent or Declination, <u>8</u> Notice of Appearance, <u>1</u> Complaint, <u>5</u> Summons Issued, <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines by Joshua Claypole, Silvia Guersenzvaig (Tajsar, Mohammad) (Filed on 7/30/2014) Text modified on 7/30/2014 (bw, COURT STAFF). (Entered: 07/30/2014)
07/30/2014	<u>24</u>	Proof of Service Summons in Civil Action as to defendant California Forensic Medical Group by Joshua Claypole, Silvia Guersenzvaig re <u>3</u> Certificate of Interested Entities, <u>11</u> Consent/Declination to Proceed Before a US Magistrate Judge, <u>7</u> Notice of Appearance, <u>4</u> Case Assigned by Intake,,, <u>10</u> Clerk's Notice re: Consent or Declination, <u>8</u> Notice of Appearance, <u>1</u> Complaint, <u>5</u> Summons Issued, <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines by Joshua Claypole, Silvia Guersenzvaig (Tajsar, Mohammad) (Filed on 7/30/2014) Text modified on 7/30/2014 (bw, COURT STAFF). (Entered: 07/30/2014)
07/30/2014	<u>25</u>	Proof of Service Summons in Civil Action as to defendant Sergeant Kaye re <u>3</u> Certificate of Interested Entities, <u>11</u> Consent/Declination to Proceed Before a US Magistrate Judge, <u>7</u> Notice of Appearance, <u>4</u> Case Assigned by Intake,,, <u>10</u> Clerk's Notice re: Consent or Declination, <u>8</u> Notice of Appearance, <u>1</u> Complaint, <u>5</u> Summons Issued, <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines by Joshua

		Claypole, Silvia Guersenzvaig (Tajsar, Mohammad) (Filed on 7/30/2014) Text modified on 7/30/2014 (bw, COURT STAFF). (Entered: 07/30/2014)
07/30/2014	<u>26</u>	Proof of Service Summons in Civil Action as to defendant Sheriff Miller re <u>3</u> Certificate of Interested Entities, <u>11</u> Consent/Declination to Proceed Before a US Magistrate Judge, <u>7</u> Notice of Appearance, 4 Case Assigned by Intake,,, 10 Clerk's Notice re: Consent or Declination, <u>8</u> Notice of Appearance, <u>5</u> Summons Issued, <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines by Joshua Claypole, Silvia Guersenzvaig (Tajsar, Mohammad) (Filed on 7/30/2014) Text modified on 7/30/2014 (bw, COURT STAFF). (Entered: 07/30/2014)
07/30/2014	<u>27</u>	Proof of Service Summons in Civil Action as to defendant Brent Hall re <u>3</u> Certificate of Interested Entities, <u>11</u> Consent/Declination to Proceed Before a US Magistrate Judge, <u>7</u> Notice of Appearance, 4 Case Assigned by Intake,,, 10 Clerk's Notice re: Consent or Declination, <u>8</u> Notice of Appearance, <u>1</u> Complaint, <u>5</u> Summons Issued, <u>6</u> Initial Case Management Scheduling Order with ADR Deadlines by Joshua Claypole, Silvia Guersenzvaig (Tajsar, Mohammad) (Filed on 7/30/2014) Modified on 7/30/2014 (bw, COURT STAFF). (Entered: 07/30/2014)
08/04/2014	<u>28</u>	MOTION to Dismiss <i>and Motion to Strike Claim for Punitive Damages</i> filed by County Of Monterey, E. Kaye, Scott Miller. Motion Hearing set for 10/2/2014 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 8/18/2014. Replies due by 8/25/2014. (Attachments: # <u>1</u> Certificate/Proof of Service)(Blitch, Susan) (Filed on 8/4/2014) (Entered: 08/04/2014)
08/05/2014	<u>29</u>	NOTICE of Appearance by Adam Wells Ely (Ely, Adam) (Filed on 8/5/2014) (Entered: 08/05/2014)
08/05/2014	<u>30</u>	ANSWER to Complaint with Jury Demand by County of San Mateo, Greg Munks. (Ely, Adam) (Filed on 8/5/2014) (Entered: 08/05/2014)
08/05/2014	<u>31</u>	<i>Defendants</i> ANSWER to Complaint with Jury Demand by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Certification of Interested Parties, # <u>2</u> Notice of Appearance, # <u>3</u> Certificate/Proof of Service Certificate of Service)(Bertling, Peter) (Filed on 8/5/2014) (Entered: 08/05/2014)
08/05/2014	<u>32</u>	MOTION to Dismiss for Lack of Jurisdiction filed by Community Hospital of Monterey Peninsula. Motion Hearing set for 10/2/2014 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 8/19/2014. Replies due by 8/26/2014. (Attachments: # <u>1</u> Certificate/Proof of Service)(Tabari, Cyrus) (Filed on 8/5/2014)**SEE DOCUMENT NUMBER 34 FOR AMENDMENT** Modified on 8/7/2014 (srmS, COURT STAFF). (Entered: 08/05/2014)
08/05/2014	<u>33</u>	MOTION to Dismiss <i>Complaint Without Leave to Amend</i> filed by City of Monterey, Brent Hall, Philip Penko. Motion Hearing set for 9/18/2014 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 8/19/2014. Replies due by 8/26/2014. (Attachments: # <u>1</u> Proposed Order)(Cohen, Amanda) (Filed on 8/5/2014) (Entered: 08/05/2014)
08/06/2014	<u>34</u>	AMENDED NOTICE OF Motion and Motion by Community Hospital of Monterey Peninsula re <u>32</u> MOTION to Dismiss for Lack of Jurisdiction <i>Amended Notice of Motion</i> (Attachments: # <u>1</u> Certificate/Proof of Service)(Tabari, Cyrus) (Filed on 8/6/2014) Incorrect event selected. Modified on 8/7/2014 (srmS, COURT STAFF). (Entered: 08/06/2014)
08/08/2014	35	Pursuant to ( <u>34</u> ) AMENDED NOTICE OF Motion and Motion by Community Hospital of Monterey Peninsula re 32 MOTION to Dismiss for Lack of Jurisdiction Amended Notice of Motion CLERKS NOTICE Re-Setting Motion Hearing. Motion Hearing set for 11/20/2014 09:00 AM before Judge Beth Labson Freeman. (tsh, COURT STAFF) (Filed on 8/8/2014) (Entered: 08/11/2014)
08/11/2014	<u>36</u>	NOTICE of Appearance by Michael Rudolph Philippi (Attachments: # <u>1</u> Certificate/Proof of Service)(Philippi, Michael) (Filed on 8/11/2014) (Entered: 08/11/2014)
08/18/2014	<u>37</u>	RESPONSE (re <u>28</u> MOTION to Dismiss <i>and Motion to Strike Claim for Punitive Damages</i> ) filed by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed



		on 8/18/2014) (Entered: 08/18/2014)
08/19/2014	<u>38</u>	RESPONSE (re <u>33</u> MOTION to Dismiss <i>Complaint Without Leave to Amend</i> ) filed by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 8/19/2014) (Entered: 08/19/2014)
08/20/2014	<u>39</u>	RESPONSE (re <u>32</u> MOTION to Dismiss for Lack of Jurisdiction ) filed by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 8/20/2014) (Entered: 08/20/2014)
08/25/2014	<u>40</u>	REPLY (re <u>28</u> MOTION to Dismiss <i>and Motion to Strike Claim for Punitive Damages</i> ) filed by County Of Monterey, E. Kaye, Scott Miller. (Attachments: # <u>1</u> Certificate/Proof of Service)(Blitch, Susan) (Filed on 8/25/2014) (Entered: 08/25/2014)
08/26/2014	<u>41</u>	REPLY (re <u>32</u> MOTION to Dismiss for Lack of Jurisdiction ) filed by Community Hospital of Monterey Peninsula. (Attachments: # <u>1</u> Proof)(Tabari, Cyrus) (Filed on 8/26/2014) (Entered: 08/26/2014)
08/26/2014	<u>42</u>	REPLY (re <u>33</u> MOTION to Dismiss <i>Complaint Without Leave to Amend</i> ) filed by City of Monterey, Brent Hall, Philip Penko. (Cohen, Amanda) (Filed on 8/26/2014) (Entered: 08/26/2014)
09/04/2014	<u>43</u>	STIPULATION WITH PROPOSED ORDER <i>to Continue the Hearing of Defts City of Mont., Chief Penko, Ofcr Hall's Mtn to Dismiss</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Proposed Order)(Tajsar, Mohammad) (Filed on 9/4/2014) (Entered: 09/04/2014)
09/05/2014	<u>44</u>	<b>ORDER CONTINUING THE HEARING OF <u>33</u> DEFENDANTS CITY OF MONTEREY, CHIEF PHILIP PENKO, AND OFFICER BRENT HALL'S MOTION TO DISMISS COMPLAINT WITHOUT LEAVE TO AMEND UNTIL OCTOBER 2, 2014 (approving <u>43</u> ). Motion Hearing set for 10/2/2014 09:00 AM in Courtroom 3, 5th Floor, San Jose before Judge Beth Labson Freeman. Signed by Judge Beth Labson Freeman on 9/5/2014. (bflc1, COURT STAFF) (Filed on 9/5/2014) (Entered: 09/05/2014)</b>
09/09/2014	<u>45</u>	NOTICE of Change of Address by Dan Lewis Stormer (Stormer, Dan) (Filed on 9/9/2014) (Entered: 09/09/2014)
09/30/2014	<u>46</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Cohen, Amanda) (Filed on 9/30/2014) (Entered: 09/30/2014)
09/30/2014	<u>47</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Blitch, Susan) (Filed on 9/30/2014) (Entered: 09/30/2014)
09/30/2014	<u>48</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Rifkin, Lori) (Filed on 9/30/2014) (Entered: 09/30/2014)
09/30/2014	<u>49</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Levy, David) (Filed on 9/30/2014) (Entered: 09/30/2014)
09/30/2014	<u>50</u>	STIPULATION and Proposed Order selecting Early Neutral Evaluation by Joshua Claypole, Silvia Guersenzvaig , <i>County of San Mateo, County of Monterey, City of Monterey, California Forensic Medical Group, Community Hospital of Monterey Peninsula</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Rifkin, Lori) (Filed on 9/30/2014) (Entered: 09/30/2014)
10/01/2014	<u>51</u>	<b>STIPULATION AND ORDER SELECTING ADR PROCESS (approving <u>50</u> ). Signed by Judge Beth Labson Freeman on 10/1/2014. (bflc1, COURT STAFF) (Filed on 10/1/2014) (Entered: 10/01/2014)</b>
10/02/2014	<u>52</u>	Minute Entry: Motions to Dismiss Hearings held on 10/2/2014 before Judge Beth Labson Freeman (Date Filed: 10/2/2014) re <u>33</u> MOTION to Dismiss <i>Complaint Without Leave to Amend</i> filed by Brent Hall, City of Monterey, Philip Penko, <u>28</u> MOTION to Dismiss <i>and Motion to Strike Claim for Punitive Damages</i> filed by E. Kaye, Scott Miller, County Of Monterey. The Court takes matters under submission. (Court Reporter Lee-Anne Shortridge.) (tsh, COURT STAFF) (Date Filed: 10/2/2014) Modified on 10/9/2014 (bflc1, COURT STAFF). (Entered: 10/02/2014)

10/08/2014	<u>53</u>	TRANSCRIPT ORDER by City of Monterey, Brent Hall, Philip Penko for Court Reporter Lee–Anne Shortridge. (Cohen, Amanda) (Filed on 10/8/2014) (Entered: 10/08/2014)
10/09/2014	<u>54</u>	<b>ORDER (1) GRANTING IN PART <u>33</u> CITY OF MONTEREY DEFENDANTS MOTION TO DISMISS WITH LEAVE TO AMEND; (2) GRANTING IN PART <u>28</u> COUNTY OF MONTEREY DEFENDANTS MOTION TO DISMISS WITH LEAVE TO AMEND; AND (3) DENYING <u>28</u> COUNTY OF MONTEREY DEFENDANTS MOTION TO STRIKE. Signed by Judge Beth Labson Freeman on 10/9/2014. (blflc1, COURT STAFF) (Filed on 10/9/2014) (Entered: 10/09/2014)</b>
10/28/2014	<u>55</u>	AMENDED COMPLAINT for Damages against All Defendants. Filed by Silvia Guersenzvaig, Joshua Claypole. (Stormer, Dan) (Filed on 10/28/2014) (Entered: 10/28/2014)
10/28/2014	<u>56</u>	CLERK'S NOTICE AND ORDER RESCHEDULING MOTION HEARING: Motion to Dismiss Hearing RESCHEDULED for 11/19/2014 09:00 AM in Courtroom 3,5th Floor, San Jose before Judge Beth Labson Freeman. (tsh, COURT STAFF) (Filed on 10/28/2014) (Entered: 10/28/2014)
11/07/2014	<u>57</u>	<i>Defendants California Forensic Medical Group, Inc. and Taylor Fithian, M.D.'s ANSWER to Amended Complaint with Demand for Jury Trial</i> by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 11/7/2014) (Entered: 11/07/2014)
11/07/2014	<u>58</u>	<b>ORDER REQUESTING CLARIFICATION RE STATUS OF <u>32</u> PENDING MOTION TO DISMISS FILED BY COMMUNITY HOSPITAL OF MONTEREY PENINSULA. Signed by Judge Beth Labson Freeman on 11/7/2014. (blflc1S, COURT STAFF) (Filed on 11/7/2014) (Entered: 11/07/2014)</b>
11/10/2014	<u>59</u>	ANSWER to Amended Complaint by County of San Mateo, Greg Munks. (Levy, David) (Filed on 11/10/2014) (Entered: 11/10/2014)
11/11/2014	<u>60</u>	Transcript of Proceedings held on 10–2–14, before Judge Beth Labson Freeman. Court Reporter/Transcriber Lee–Anne Shortridge, Telephone number 408–287–4580 email: lee–anne_shortridge@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerks Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re <u>53</u> Transcript Order ) Release of Transcript Restriction set for 2/9/2015. (Related documents(s) <u>53</u> ) (las, ) (Filed on 11/11/2014) (Entered: 11/11/2014)
11/12/2014	<u>61</u>	STATUS REPORT ( <i>Joint</i> ) re: ( <u>34</u> ) <i>Defendant Community Hospital of Monterey Peninsula's Motion to Dismiss Plaintiffs' Then–Operative Complaint for Lack of Subject Matter Jurisdiction</i> by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 11/12/2014) Modified text to add linkage on 11/13/2014 (srmS, COURT STAFF). (Entered: 11/12/2014)
11/12/2014	<u>62</u>	ANSWER to Complaint with Jury Demand by City of Monterey, Brent Hall, Philip Penko. (Cohen, Amanda) (Filed on 11/12/2014) (Entered: 11/12/2014)
11/18/2014	<u>63</u>	ANSWER to Amended Complaint by County Of Monterey, E. Kaye, Scott Miller. (Attachments: # <u>1</u> Certificate/Proof of Service)(Blitch, Susan) (Filed on 11/18/2014) (Entered: 11/18/2014)
11/19/2014	64	<b>Minute Entry for proceedings held before Judge Beth Labson Freeman: Motion Hearing held on 11/19/2014. (Date Filed: 11/19/2014) re <u>32</u> MOTION to Dismiss for Lack of Jurisdiction filed by Community Hospital of Monterey Peninsula. Motion to Dismiss DENIED. Defendant shall file answer within 14 days. Court Reporter Name: Summer Fisher. Plaintiff Attorney: Lori Rifkin. Defendant Attorney: Curus Tabari. This is a text only Minute Entry (tsh, COURT STAFF) Modified on 11/19/2014 (tsh, COURT STAFF). (Entered: 11/19/2014)</b>
11/19/2014	<u>65</u>	<b>ORDER DENYING <u>32</u> CHOMP'S MOTION TO DISMISS. Signed by Judge Beth Labson Freeman on 11/19/2014. (blflc1S, COURT STAFF) (Filed on 11/19/2014) (Entered: 11/19/2014)</b>

12/03/2014	<u>66</u>	ANSWER to Complaint with Jury Demand by Community Hospital of Monterey Peninsula. (Tabari, Cyrus) (Filed on 12/3/2014) (Entered: 12/03/2014)
12/03/2014	<u>67</u>	MOTION to Appear by Telephone <i>at the December 11, 2014 Case Management Conference</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Declaration of Joshua Piovia–Scott in Support of Plaintiffs' Request to Appear Telephonically, # <u>2</u> Proposed Order Granting Plaintiffs' Request to Appear Telephonically)(Piovia–Scott, Joshua) (Filed on 12/3/2014) (Entered: 12/03/2014)
12/04/2014	<u>68</u>	JOINT CASE MANAGEMENT STATEMENT & <i>Proposed Order</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 12/4/2014) (Entered: 12/04/2014)
12/04/2014	<u>69</u>	MOTION to Appear by Telephone <i>at the 12/11/14 Case Management Conference</i> filed by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Declaration Jemma Parker Saunders, # <u>2</u> Proposed Order, # <u>3</u> Certificate/Proof of Service)(Saunders, Jemma) (Filed on 12/4/2014) (Entered: 12/04/2014)
12/05/2014	<u>70</u>	<b>ORDER GRANTING <u>67</u> PLAINTIFFS' REQUEST TO APPEAR TELEPHONICALLY AT THE DECEMBER 11, 2014 CASE MANAGEMENT CONFERENCE. Signed by Judge Beth Labson Freeman on 12/5/2014. (blflc1, COURT STAFF) (Filed on 12/5/2014) (Entered: 12/05/2014)</b>
12/05/2014	<u>71</u>	<b>ORDER GRANTING <u>69</u> DEFENDANTS CALIFORNIA FORENSIC MEDICAL GROUP, INC. AND TAYLOR FITHIAN, M.D.'S REQUEST TO APPEAR TELEPHONICALLY AT THE DECEMBER 11, 2014 CASE MANAGEMENT CONFERENCE. Signed by Judge Beth Labson Freeman on 12/5/2014. (blflc1, COURT STAFF) (Filed on 12/5/2014) (Entered: 12/05/2014)</b>
12/09/2014	<u>72</u>	REQUEST TO APPEAR TELEPHONICALLY AT THE DECEMBER 11, 2014 CASE MANAGEMENT CONFERENCE filed by County Of Monterey, E. Kaye, Scott Miller. (Attachments: # <u>1</u> Declaration of Susan K. Blitch, # <u>2</u> (Proposed) Order, # <u>3</u> Certificate/Proof of Service)(Blitch, Susan) (Filed on 12/9/2014) Text modified on 12/10/2014 (bwS, COURT STAFF). (Entered: 12/09/2014)
12/09/2014	<u>73</u>	<b>ORDER GRANTING <u>72</u> DEFENDANTS COUNTY OF MONTEREY, SHERIFF SCOTT MILLER AND SERGEANT E. KAYE'S REQUEST TO APPEAR TELEPHONICALLY AT THE DECEMBER 11, 2014 CASE MANAGEMENT CONFERENCE. Signed by Judge Beth Labson Freeman on 12/9/2014. (blflc1, COURT STAFF) (Filed on 12/9/2014) (Entered: 12/09/2014)</b>
12/11/2014	<u>74</u>	<b>Minute Entry for proceedings held before Hon. Beth Labson Freeman: Case Management Conference held on 12/11/2014. Jury Trial set for 4/11/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Motion Hearing set for 1/14/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Pretrial Conference set for 3/31/2016 02:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Fact Discovery cutoff 8/31/2015. FTR Time 1:32:13 to 1:46:18. Attachment Minute Order.(jgS, COURT STAFF) (Date Filed: 12/11/2014) (Entered: 12/12/2014)</b>
12/16/2014	<u>75</u>	CERTIFICATE OF SERVICE by City of Monterey, Brent Hall, Philip Penko <i>re Initial Disclosures</i> (Thompson, Ryan) (Filed on 12/16/2014) (Entered: 12/16/2014)
12/16/2014	<u>76</u>	<b>CASE MANAGEMENT ORDER – Disclosure of Experts 09/28/2015. Fact Discovery Cut–Off 08/31/2015. Expert Discovery Cut–Off 10/23/2015. Last Day to Hear Dispositive Motions 01/14/2016 at 9:00 am. Final Pretrial Conference 03/31/2016 at 2:30 pm. Jury Trial 04/11/2016 at 9:00 am. Signed by Judge Beth Labson Freeman on 12/16/2014. (tsh, COURT STAFF) (Filed on 12/16/2014) (Entered: 12/16/2014)</b>
12/16/2014		Jury Selection set for 4/11/2016 09:00 AM. Jury Trial set for 04/11/2016, 4/12/2016, 4/13/2016, 4/15/2016, 4/18/2016, 4/19/2016, 4/20/2016, 4/22/2016, 4/25/2016, 4/26/2016, 4/27/2016, and 4/29/2016 at 09:00 AM before Judge Beth Labson Freeman. (tsh, COURT STAFF) (Filed on 12/16/2014) (Entered: 12/16/2014)
01/07/2015		***ENTERED IN ERROR – PLEASE DISREGARD *** Set/Reset Hearing ENE Hearing set for 2/4/2015 at 09:30 AM at Liebert Cassidy Whitmore, 153 Townsend Street, Suite 520, San Francisco, CA 94107. (cmf, COURT STAFF) (Filed on

		1/7/2015) Modified on 1/7/2015 (cmf, COURT STAFF). (Entered: 01/07/2015)
01/07/2015		ADR Remark: ***ENTERED IN ERROR – PLEASE DISREGARD ***ENE Hearing set for 2/4/2015 at 09:30 AM at Liebert Cassidy Whitmore, 153 Townsend Street, Suite 520, San Francisco, CA 94107 (cmf, COURT STAFF) (Filed on 1/7/2015) (Entered: 01/07/2015)
01/07/2015	<u>77</u>	ADR Clerk's Notice Appointing Randolph W. Hall as ENE Evaluator. (cmf, COURT STAFF) (Filed on 1/7/2015) (Entered: 01/07/2015)
02/10/2015		Set/Reset Hearing ENE Hearing set for 3/2/2015 at 09:30 AM at the Federal Building, 450 Golden Gate Avenue, 16th Floor, San Francisco, CA. (cmf, COURT STAFF) (Filed on 2/10/2015) (Entered: 02/10/2015)
02/23/2015	<u>78</u>	<b>ORDER RE: ATTENDANCE AT MEDIATION.. Signed by Magistrate Judge Maria–Elena James on 2/23/2015. (rmm2S, COURT STAFF) (Filed on 2/23/2015) (Entered: 02/23/2015)</b>
02/26/2015	<u>79</u>	CERTIFICATE OF SERVICE via Mail re: ENE Statement filed by City of Monterey, Brent Hall, Philip Penko (Thompson, Ryan) (Filed on 2/26/2015) Modified on 2/26/2015 (bwS, COURT STAFF). (Entered: 02/26/2015)
03/03/2015	<u>80</u>	CERTIFICATION OF ENE Session by Evaluator, Randolph W. Hall; ENE session held 3/2/2015; Case did not settle; ENE process is complete. (cmf, COURT STAFF) (Filed on 3/3/2015) (Entered: 03/03/2015)
06/10/2015	<u>81</u>	STIPULATION WITH PROPOSED ORDER filed by California Forensic Medical Group, Taylor Fithian. (Saunders, Jemma) (Filed on 6/10/2015) (Entered: 06/10/2015)
06/22/2015	<u>82</u>	<b>ORDER GRANTING STIPULATED PROTECTIVE ORDER by Magistrate Judge Paul Singh Grewal granting <u>81</u> (psglc2, COURT STAFF) (Filed on 6/22/2015) (Entered: 06/22/2015)</b>
06/25/2015	<u>83</u>	MOTION to Compel <i>Further RFP Responses from Defendant California Forensic Medical Group</i> filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 8/11/2015 10:00 AM in Courtroom 5, 4th Floor, San Jose before Magistrate Judge Paul Singh Grewal. Responses due by 7/9/2015. Replies due by 7/16/2015. (Attachments: # <u>1</u> Declaration of Mohammad Tajsar in Support of Pltfs' Mtn to Compel Further RFP Responses, # <u>2</u> Exhibits 1–8, # <u>3</u> Proposed Order Granting Pltfs' Mtn to Compel Further RFP Responses)(Tajsar, Mohammad) (Filed on 6/25/2015) (Entered: 06/25/2015)
06/26/2015	84	CLERK'S NOTICE RESETTING AUGUST 11, 2015 MOTION HEARING, resetting <u>83</u> MOTION to Compel Further RFP Responses from Defendant California Forensic Medical Group. 8/11/2015 Motion Hearing is reset to 8/18/2015 at 10:00 AM in Courtroom 5, 4th Floor, San Jose before Magistrate Judge Paul Singh Grewal. *** <b>This is a text only docket entry, there is no document associated with this notice.</b> *** (ofr, COURT STAFF) (Filed on 6/26/2015) (Entered: 06/26/2015)
07/09/2015	<u>85</u>	RESPONSE (re <u>83</u> MOTION to Compel <i>Further RFP Responses from Defendant California Forensic Medical Group</i> ) Defendants CFMG and Taylor Fithian, M.D.'s <i>Opposition to Plaintiffs' Motion to Compel Production of Documents</i> filed by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Declaration of Taylor Fithian, M.D., III in Support of Opposition to Motion to Compel, # <u>2</u> Declaration of Jemma Parker Saunders in Support of Opposition to Motion to Compel, # <u>3</u> Exhibit A to Declaration of Jemma Parker Saunders In Support of Opposition to Motion to Compel, # <u>4</u> Proposed Order, # <u>5</u> Certificate/Proof of Service)(Saunders, Jemma) (Filed on 7/9/2015) (Entered: 07/09/2015)
07/16/2015	<u>86</u>	REPLY (re <u>83</u> MOTION to Compel <i>Further RFP Responses from Defendant California Forensic Medical Group</i> ) filed by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 7/16/2015) (Entered: 07/16/2015)
07/29/2015	<u>87</u>	STIPULATION WITH PROPOSED ORDER <i>RE PLAINTIFFS' DEPOSITION OF WITNESS KIM SPANO, L.F.M.T.</i> filed by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 7/29/2015) (Entered: 07/29/2015)



07/31/2015	<u>88</u>	<b>STIPULATION AND ORDER RE PLAINTIFFS' DEPOSITION OF WITNESS KIM SPANO, L.M.F.T. (approving <u>87</u> ). Signed by Judge Beth Labson Freeman on 7/31/2015. (blflc1, COURT STAFF) (Filed on 7/31/2015) (Entered: 07/31/2015)</b>
08/11/2015	<u>89</u>	MOTION for Leave to File <i>Supplemental Brief in Support of Motion to Compel California Forensic Medical Group's Further Response to Plaintiff's Request for Production of Documents</i> filed by Joshua Claypole. (Attachments: # <u>1</u> Declaration of Lori Rifkin in Support of Request to File Supplemental Brief in Support of Motion to Compel, # <u>2</u> Proposed Order Granting Request to File Supplemental Brief in Support of Motion to Compel)(Rifkin, Lori) (Filed on 8/11/2015) (Entered: 08/11/2015)
08/12/2015	<u>90</u>	<b>ORDER GRANTING LEAVE TO FILE SUPPLEMENTAL BRIEF IN SUPPORT OF MOTION TO COMPEL by Magistrate Judge Paul Singh Grewal granting <u>89</u> (psglc2, COURT STAFF) (Filed on 8/12/2015) (Entered: 08/12/2015)</b>
08/17/2015	<u>91</u>	DECLARATION of Peter G. Bertling in Opposition to <u>85</u> Opposition/Response to Motion,, <i>Supplemental Declaration of Peter G. Bertling in Support of Defendants' Opposition to Plaintiffs' Motion to Compel Documents (and Testimony)</i> filed by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Certificate/Proof of Service)(Related document(s) <u>85</u> ) (Bertling, Peter) (Filed on 8/17/2015) (Entered: 08/17/2015)
08/18/2015	92	<b>Minute Entry for proceedings held before Magistrate Judge Paul Singh Grewal: Motion Hearing held on 8/18/2015 re <u>83</u> MOTION to Compel Further RFP Responses from Defendant California Forensic Medical Group. Plaintiff's Motion to Compel is granted in part. Documents to be produced in response to Request for Document Production Nos. 33 and 34 only to the extent that they relate to facilities identified in the Exhibit Dr. Fithian was describing in his deposition at pages 162 – 165. The court orders 3 additional hours of deposition testimony from Dr. Fithian once production of documents complete, which can include questions about changes in policies and procedures at the Monterey facility and staff practices at the Monterey facility. Depositions to occur no later than 30 days from today's date and documents to be produced no later than 14 days from today's date. With respect to Request for Document Production Nos. 12 and 14, only contracts and licenses for the facilities identified in the Exhibit referenced above to be produced. An unredacted version of the Exhibit referenced above also to be produced. Court Reporter: Lee–Anne Shortridge. Time in Court: (11:57 to 12:26). Plaintiff Attorney(s) present: Lori Rifkin. Defendant Attorney(s) present: Peter Bertling. This is a text only Minute Entry. (ofr, COURT STAFF) (Date Filed: 8/18/2015) (Entered: 08/19/2015)</b>
08/25/2015	<u>93</u>	STIPULATION WITH PROPOSED ORDER <i>re Plaintiffs' Deposition of Defendant Scott Miller</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Piovia–Scott, Joshua) (Filed on 8/25/2015) (Entered: 08/25/2015)
08/25/2015	<u>94</u>	<b>STIPULATION AND ORDER RE PLAINTIFFS' DEPOSITION OF DEFENDANT SCOT MILLER (granting <u>93</u> ). Signed by Judge Beth Labson Freeman on 8/25/2015. (blflc1, COURT STAFF) (Filed on 8/25/2015) (Entered: 08/25/2015)</b>
08/31/2015	95	CLERK'S NOTICE SETTING DISCOVERY HEARING: Discovery Hearing set for 8/31/2015 at 1:00 PM (SPECIAL SET) in Courtroom 5, 4th Floor, San Jose before Magistrate Judge Paul Singh Grewal. ( <i>This is a text–only entry generated by the court. There is no document associated with this entry.</i> ) (ofr, COURT STAFF) (Filed on 8/31/2015) (Entered: 08/31/2015)
08/31/2015	96	<b>Minute Entry for proceedings held before Magistrate Judge Paul Singh Grewal: Mid–Deposition Dispute hearing held on 8/31/2015. The court permits Ms. Rifkin to ask questions about Correctional Medical Group Company and Southwest Corrections Medical Group that are focused on the events at issue in this case at the time of the events at issue. Ms. Rifkin may ask questions regarding Dr. Fithian's compensation and net worth. The court will also permit questions regarding the date of formation of Southwest Corrections Medical Group and Correctional Medical Group Company and what relationship Dr. Fithian had with these companies at the time Mr. Claypole suffered his injuries. In order to explore what relationship Dr. Fithian may have formed following the events at issue, Plaintiff will first need to lay foundation that these entities were formed at</b>

		<b>the time of the incidents. The court denies Mr. Bertling's request to extend deadline to depose Dr. Fithian. FTR Time (1:12 to 1:25) Plaintiff Attorney(s) present (telephonically): Lori Rifkin and Joshua Piovia-Scott. Defendant Attorney(s) present (telephonically): Peter Bertling, Irv Grant, Murlie Hanson and Kim Hara. Also present: Dr. Taylor Fithian. This is a text only Minute Entry. (ofr, COURT STAFF) (Date Filed: 8/31/2015) Modified on 9/1/2015 (ofr, COURT STAFF). (Entered: 09/01/2015)</b>
09/09/2015	<u>97</u>	MOTION for Summary Judgment filed by City of Monterey, Brent Hall. Motion Hearing set for 11/12/2015 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 9/23/2015. Replies due by 9/30/2015. (Thompson, Ryan) (Filed on 9/9/2015) (Entered: 09/09/2015)
09/09/2015	<u>98</u>	Statement re <u>97</u> MOTION for Summary Judgment <i>Separate Statement</i> by City of Monterey, Brent Hall. (Attachments: # <u>1</u> Declaration Philip Bitter, # <u>2</u> Declaration Brent Hall, # <u>3</u> Declaration Jeff Jackson, # <u>4</u> Declaration Bryan Kruse, # <u>5</u> Declaration Jeremiah Ruttschow, # <u>6</u> Declaration Ryan M. Thompson, # <u>7</u> Exhibit Exhs A-U, Part 1, # <u>8</u> Exhibit Exhs A-U, Part 2, # <u>9</u> Exhibit Exhs A-U, Part 3, # <u>10</u> Exhibit Exhs A-U, Part 4, # <u>11</u> Exhibit Exhs A-U, Part 5)(Thompson, Ryan) (Filed on 9/9/2015) (Entered: 09/09/2015)
09/09/2015	<u>99</u>	Proposed Order re <u>97</u> MOTION for Summary Judgment by City of Monterey, Brent Hall. (Thompson, Ryan) (Filed on 9/9/2015) (Entered: 09/09/2015)
09/21/2015	<u>100</u>	MOTION for Leave to File Excess Pages filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Stipulation and [Proposed] Order)(Tajsar, Mohammad) (Filed on 9/21/2015) (Entered: 09/21/2015)
09/22/2015	<u>101</u>	STIPULATION WITH PROPOSED ORDER <i>RE: DISMISSAL OF COUNTY OF SAN MATEO AND SHERIFF GREG MUNKS WITH PREJUDICE, AND ORDER THEREON</i> filed by County of San Mateo, Greg Munks. (Levy, David) (Filed on 9/22/2015) (Entered: 09/22/2015)
09/22/2015	<u>102</u>	<b>ORDER APPROVING <u>101</u> STIPULATION FOR DISMISSAL OF COUNTY OF SAN MATEO AND SHERIFF GREG MUNKS WITH PREJUDICE. Signed by Judge Beth Labson Freeman on 9/22/2015. (blflc1, COURT STAFF) (Filed on 9/22/2015) (Entered: 09/22/2015)</b>
09/22/2015	<u>103</u>	<b>ORDER GRANTING IN PART AND DENYING IN PART <u>100</u> REQUEST TO EXCEED PAGE LIMITS FOR PLAINTIFFS' RESPONSIVE SEPARATE STATEMENT. Signed by Judge Beth Labson Freeman on 9/22/2015. (blflc1, COURT STAFF) (Filed on 9/22/2015) (Entered: 09/22/2015)</b>
09/23/2015	<u>104</u>	STIPULATION WITH PROPOSED ORDER <i>Re Dismissal of Community Hospital of the Monterey Peninsula</i> filed by Community Hospital of Monterey Peninsula. (Tabari, Cyrus) (Filed on 9/23/2015) (Entered: 09/23/2015)
09/23/2015	<u>105</u>	RESPONSE (re <u>97</u> MOTION for Summary Judgment ) filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Plaintiffs' Responsive Statement, # <u>2</u> Declaration of Mohammad Tajsar and Exhibits in Support - Volume 1(Part 1 of 2), # <u>3</u> Declaration of Mohammad Tajsar and Exhibits in Support - Volume 1(Part 2 of 2), # <u>4</u> of Mohammad Tajsar and Exhibits in Support - Volume 2, # <u>5</u> Proposed Order)(Tajsar, Mohammad) (Filed on 9/23/2015) (Entered: 09/23/2015)
09/24/2015	<u>106</u>	<b>STIPULATION AND ORDER RE DISMISSAL OF DEFENDANT COMMUNITY HOSPITAL OF THE MONTEREY PENINSULA (approving <u>104</u> ). Signed by Judge Beth Labson Freeman on 9/24/2015. (blflc1, COURT STAFF) (Filed on 9/24/2015) (Entered: 09/24/2015)</b>
09/30/2015	<u>107</u>	REPLY (re <u>97</u> MOTION for Summary Judgment ) filed by City of Monterey, Brent Hall. (Attachments: # <u>1</u> Affidavit Reply Separate Statement, # <u>2</u> Declaration of Ryan Thompson, # <u>3</u> Declaration of Philip Bitter, # <u>4</u> Exhibit Exhibits V through BB)(Thompson, Ryan) (Filed on 9/30/2015) (Entered: 09/30/2015)
10/02/2015	<u>108</u>	MOTION to Amend/Correct <i>First Amended Complaint re Substitution of Doe Deft.</i> filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 1/28/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 10/16/2015. Replies due by 10/23/2015. (Attachments: # <u>1</u> Tajsar



		Decl. and Exhibits in Support of Pltfs' Mtn for Leave to Substitute Det. Kruse as Doe Deft – Volume 1 of 2 (Part 1), # <u>2</u> Tajsar Decl. and Exhibits in Support of Pltfs' Mtn for Leave to Substitute Det. Kruse as Doe Deft – Volume 1 of 2 (Part 2), # <u>3</u> Tajsar Decl. and Exhibits in Support of Pltfs' Mtn for Leave to Substitute Det. Kruse as Doe Deft – Volume 2 of 2, # <u>4</u> Proposed Order)(Tajsar, Mohammad) (Filed on 10/2/2015) (Entered: 10/02/2015)
10/05/2015	109	CLERK'S NOTICE RESETTING MOTION HEARING as to <u>108</u> MOTION to Amend/Correct <i>First Amended Complaint re Substitution of Doe Deft.</i> . Motion Hearing set for 1/14/2016 09:00 AM before Hon. Beth Labson Freeman. ( <i>This is a text-only entry generated by the court. There is no document associated with this entry.</i> ) (tsh, COURT STAFF) (Filed on 10/5/2015) (Entered: 10/05/2015)
10/06/2015	110	CLERK'S NOTICE RESETTING TIME OF FINAL PRETRIAL CONFERENCE. Final Pretrial Conference set for 3/31/2016 01:30 PM. ( <i>This is a text-only entry generated by the court. There is no document associated with this entry.</i> ) (tsh, COURT STAFF) (Filed on 10/6/2015) (Entered: 10/06/2015)
10/08/2015	111	CLERK'S NOTICE RESETTING MOTION HEARING re ( <u>108</u> ). Motion hearing reset for 11/12/2015 at 9:00 AM before Hon. Beth Labson Freeman. ( <i>This is a text-only entry generated by the court. There is no document associated with this entry.</i> ) (tsh, COURT STAFF) (Filed on 10/8/2015) (Entered: 10/08/2015)
10/14/2015	<u>112</u>	MOTION for Joinder of <i>Parties</i> filed by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Memorandum of Points & Authorities, # <u>2</u> Declaration Declaration of Peter G. Bertling, # <u>3</u> Exhibit A to Bertling Declaration, # <u>4</u> Exhibit B to Bertling Declaration, # <u>5</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 10/14/2015) (Entered: 10/14/2015)
10/14/2015	<u>113</u>	Proposed Order re <u>112</u> MOTION for Joinder of <i>Parties</i> by California Forensic Medical Group, Taylor Fithian. (Bertling, Peter) (Filed on 10/14/2015) (Entered: 10/14/2015)
10/14/2015		Set/Reset Deadlines as to <u>112</u> MOTION for Joinder of <i>Parties</i> . Motion Hearing set for 1/14/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. (blflc1S, COURT STAFF) (Filed on 10/14/2015) (Entered: 11/06/2015)
10/16/2015	<u>114</u>	RESPONSE (re <u>108</u> MOTION to Amend/Correct <i>First Amended Complaint re Substitution of Doe Deft.</i> ) filed byCity of Monterey, Brent Hall. (Attachments: # <u>1</u> Declaration Bryan Kruse, # <u>2</u> Declaration Ryan Thompson, # <u>3</u> Exhibit Exhs. A through F, # <u>4</u> Proposed Order Denying Motion)(Thompson, Ryan) (Filed on 10/16/2015) (Entered: 10/16/2015)
10/23/2015	<u>115</u>	REPLY (re <u>108</u> MOTION to Amend/Correct <i>First Amended Complaint re Substitution of Doe Deft.</i> ) filed byJoshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Declaration of Mohammad Tajsar in Support of Reply to Defts' Opposition)(Tajsar, Mohammad) (Filed on 10/23/2015) (Entered: 10/23/2015)
10/28/2015	<u>116</u>	RESPONSE (re <u>112</u> MOTION for Joinder of <i>Parties</i> ) filed byJoshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Declaration of Mohammad Tajsar and Exhibits in Support of Opposition to Defts' Mtn to Join Parties)(Tajsar, Mohammad) (Filed on 10/28/2015) (Entered: 10/28/2015)
11/04/2015	<u>117</u>	REPLY (re <u>112</u> MOTION for Joinder of <i>Parties</i> ) filed byCalifornia Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Certificate/Proof of Service)(Saunders, Jemma) (Filed on 11/4/2015) (Entered: 11/04/2015)
11/06/2015	<u>118</u>	MOTION to Appear by Telephone <i>at the November 12, 2015, 9:00 a.m., hearing on Defendants City of Monterey and Office Hall's Motion for Summary Judgment</i> filed by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Declaration Peter G. Bertling, # <u>2</u> Proposed Order, # <u>3</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 11/6/2015) (Entered: 11/06/2015)
11/09/2015	<u>119</u>	MOTION to Appear by Telephone filed by County Of Monterey, E. Kaye, Scott Miller. (Attachments: # <u>1</u> Declaration of Irven L. Grant, # <u>2</u> Proposed Order, # <u>3</u> Certificate/Proof of Service)(Grant, Irven) (Filed on 11/9/2015) (Entered: 11/09/2015)
11/09/2015	<u>120</u>	<b>ORDER GRANTING <u>118</u> DEFENDANTS CFMG AND TAYLOR FITHIAN, M.D.'S REQUEST TO MAKE A TELEPHONIC APPEARANCE AT THE</b>

		<b>NOVEMBER 12, 2015 HEARING ON THE MOTION FOR SUMMARY JUDGMENT OF DEFENDANTS THE CITY OF MONTEREY AND OFFICER BRENT HALL. Signed by Judge Beth Labson Freeman on 11/9/2015. (blflc1S, COURT STAFF) (Filed on 11/9/2015) (Entered: 11/09/2015)</b>
11/09/2015	<u>121</u>	<b>ORDER GRANTING <u>119</u> DEFENDANTS COUNTY OF MONTEREY, SHERIFF SCOTT MILLER AND SERGEANT E. KAYE'S REQUEST TO APPEAR TELEPHONICALLY AT THE NOVEMBER 12, 2015 MOTION FOR SUMMARY JUDGMENT OF DEFENDANTS CITY OF MONTEREY AND OFFICER BRENT HALL. Signed by Judge Beth Labson Freeman on 11/9/2015. (blflc1, COURT STAFF) (Filed on 11/9/2015) (Entered: 11/09/2015)</b>
11/10/2015	<u>122</u>	MOTION for Sanctions <i>and to Compel Discovery</i> filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 12/15/2015 10:00 AM in Courtroom 5, 4th Floor, San Jose before Magistrate Judge Paul Singh Grewal. Responses due by 11/24/2015. Replies due by 12/1/2015. (Attachments: # <u>1</u> Declaration of Lori Rifkin and Exhibits in Support of Mtn for Sanctions & to Compel Discovery, # <u>2</u> Proposed Order Granting Mtn for Sanctions & to Compel Discovery)(Stormer, Dan) (Filed on 11/10/2015) (Entered: 11/10/2015)
11/12/2015	123	<b>Minute Entry for proceedings held before Hon. Beth Labson Freeman: Motion Hearing held on 11/12/2015 re <u>97</u> MOTION for Summary Judgment filed by Brent Hall, City of Monterey, <u>108</u> MOTION to Amend/Correct <i>First Amended Complaint re Substitution of Doe Deft.</i> filed by Joshua Claypole, Silvia Guersenzvaig. The Court takes the matters under submission. Court Reporter Name: Summer Fisher. Plaintiff Attorney: Dan Stormer, Mohammad Toysar. Defendant Attorney: Ryan Thompson, Peter Bertling, Irven Grant. This is a text only Minute Entry (tsh, COURT STAFF) (Date Filed: 11/12/2015) (Entered: 11/16/2015)</b>
11/16/2015	<u>124</u>	MOTION for Summary Judgment filed by California Forensic Medical Group, Taylor Fithian. Motion Hearing set for 1/14/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 11/30/2015. Replies due by 12/7/2015. (Attachments: # <u>1</u> Memorandum of Points & Authorities, # <u>2</u> Separate Statement, # <u>3</u> Declaration Peter G. Bertling, # <u>4</u> Exhibit A to Declaration of Peter G. Bertling)(Bertling, Peter) (Filed on 11/16/2015) (Entered: 11/16/2015)
11/16/2015	<u>125</u>	EXHIBITS <i>B, C, D and E to the Declaration of Peter G. Bertling in Support of Defendants' Motion for Summary Judgment</i> filed by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Exhibit C to the Declaration of Peter G. Bertling, # <u>2</u> Exhibit D to the Declaration of Peter G. Bertling, # <u>3</u> Exhibit Exhibit E to Bertling Declaration)(Bertling, Peter) (Filed on 11/16/2015) (Entered: 11/16/2015)
11/16/2015	<u>126</u>	EXHIBITS re <u>124</u> MOTION for Summary Judgment <i>with Proposed Order</i> filed by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Exhibit G to the Declaration of Peter G. Bertling, # <u>2</u> Exhibit H to the Declaration of Peter G. Bertling, # <u>3</u> Proposed Order, # <u>4</u> Certificate/Proof of Service)(Related document(s) <u>124</u> ) (Bertling, Peter) (Filed on 11/16/2015) (Entered: 11/16/2015)
11/19/2015	<u>127</u>	MOTION for Leave to File <i>Combined Affirmative Motion for Summary Judgment &amp; Opposition to Defendants' Motion for Summary Judgment</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Declaration of Mohammad Tajsar, # <u>2</u> Proposed Order Granting Plaintiffs' Motion for Leave)(Tajsar, Mohammad) (Filed on 11/19/2015) (Entered: 11/19/2015)
11/20/2015	<u>128</u>	RESPONSE (re <u>127</u> MOTION for Leave to File <i>Combined Affirmative Motion for Summary Judgment &amp; Opposition to Defendants' Motion for Summary Judgment</i> ) <i>Declaration of Jemma Parker Saunders in Opposition to Plaintiffs' Motion</i> filed by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Certificate/Proof of Service)(Saunders, Jemma) (Filed on 11/20/2015) (Entered: 11/20/2015)
11/20/2015	<u>129</u>	Supplemental Brief re <u>105</u> Opposition/Response to Motion, <u>97</u> MOTION for Summary Judgment filed by Joshua Claypole, Silvia Guersenzvaig. (Related document(s) <u>105</u> , <u>97</u> ) (Tajsar, Mohammad) (Filed on 11/20/2015) (Entered: 11/20/2015)

11/20/2015	<u>130</u>	Supplemental Brief re <u>97</u> MOTION for Summary Judgment , <i>re Castro v County of Los Angeles</i> , filed by City of Monterey, Brent Hall. (Related document(s) <u>97</u> ) (Thompson, Ryan) (Filed on 11/20/2015) (Entered: 11/20/2015)
11/23/2015	<u>131</u>	<b>ORDER GRANTING <u>127</u> PLAINTIFFS' MOTION FOR LEAVE TO FILE A COMBINED AFFIRMATIVE MOTION FOR SUMMARY JUDGMENT AND OPPOSITION TO DEFENDANTS CALIFORNIA FORENSIC MEDICAL GROUP, INC., AND TAYLOR FITHIAN'S MOTION FOR SUMMARY JUDGMENT. Plaintiff's Opposition/Cross-Motion due by 12/7/2015. Defendants' Reply/Opposition due by 12/28/2015. Plaintiffs' reply due by 1/4/2016. Signed by Judge Beth Labson Freeman on 11/23/2015. (bflfc1S, COURT STAFF) (Filed on 11/23/2015) (Entered: 11/23/2015)</b>
11/24/2015	<u>132</u>	<b>***FILED IN ERROR – DISREGARD***</b> TRANSCRIPT ORDER – CJA for Court Reporter Lee–Anne Shortridge. (Bertling, Peter) (Filed on 11/24/2015) Modified on 11/25/2015 (sp, COURT STAFF). Modified on 11/25/2015 (sp, COURT STAFF). (Entered: 11/24/2015)
11/24/2015	<u>133</u>	RESPONSE (re <u>122</u> MOTION for Sanctions <i>and to Compel Discovery</i> ) <i>Declaration of Peter G. Bertling</i> filed by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 11/24/2015) (Entered: 11/24/2015)
11/25/2015	<u>134</u>	MOTION for Leave to File Excess Pages filed by County Of Monterey, E. Kaye, Scott Miller. (Attachments: # <u>1</u> Certificate/Proof of Service)(Grant, Irven) (Filed on 11/25/2015) (Entered: 11/25/2015)
11/25/2015	<u>135</u>	TRANSCRIPT ORDER by California Forensic Medical Group for Court Reporter Lee–Anne Shortridge. (Bertling, Peter) (Filed on 11/25/2015) (Entered: 11/25/2015)
11/25/2015	<u>136</u>	Transcript of Proceedings held on 8–18–15, before Judge Paul S. Grewal. Court Reporter/Transcriber Lee–Anne Shortridge, telephone number 408–287–4580 email: lee–anne_shortridge@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re <u>135</u> Transcript Order ) Release of Transcript Restriction set for 2/23/2016. (Related documents(s) <u>135</u> ) (las, ) (Filed on 11/25/2015) (Entered: 11/25/2015)
11/25/2015	<u>137</u>	<b>ORDER DENYING <u>134</u> COUNTY OF MONTEREY, SHERIFF SCOTT MILLER AND SERGEANT E. KAYE'S MOTION TO EXCEED OTHERWISE APPLICABLE PAGE LIMITATION. Signed by Judge Beth Labson Freeman on 11/25/2015. (bflfc1, COURT STAFF) (Filed on 11/25/2015) (Entered: 11/25/2015)</b>
12/01/2015	<u>138</u>	Ex Parte Application to <i>Continue Hearing on Plaintiffs' Motion for Sanctions</i> filed by California Forensic Medical Group. (Attachments: # <u>1</u> Declaration of Peter G. Bertling, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Proposed Order, # <u>6</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 12/1/2015) (Entered: 12/01/2015)
12/01/2015	<u>139</u>	REPLY (re <u>122</u> MOTION for Sanctions <i>and to Compel Discovery</i> ) filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Declaration Declaration of Joshua Piovio–Scott, # <u>2</u> Exhibit Exhibit L)(Stormer, Dan) (Filed on 12/1/2015) (Entered: 12/01/2015)
12/02/2015	<u>140</u>	<b>ORDER GRANTING DEFENDANTS' EX PARTE APPLICATION TO CONTINUE HEARING ON PLAINTIFF'S MOTION FOR SANCTIONS by Magistrate Judge Paul Singh Grewal granting <u>138</u> (psglc2, COURT STAFF) (Filed on 12/2/2015) (Entered: 12/02/2015)</b>
12/04/2015	<u>141</u>	MOTION for Summary Judgment <i>or in the Alternative, Summary Adjudication</i> , filed by County Of Monterey, E. Kaye, Scott Miller. Motion Hearing set for 1/14/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 12/18/2015. Replies due by 12/28/2015. (Attachments: # <u>1</u> Declaration Separate Statement of Undisputed Material Facts, # <u>2</u> Declaration Irven L. Grant, # <u>3</u> Declaration Cmdr. James Bass, # <u>4</u> Proposed Order, # <u>5</u> Certificate/Proof of

		Service)(Grant, Irven) (Filed on 12/4/2015) (Entered: 12/04/2015)
12/07/2015	<a href="#">142</a>	RESPONSE (re <a href="#">124</a> MOTION for Summary Judgment ) <i>and Affirmative MSJ</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <a href="#">1</a> Moving Separate Statement, # <a href="#">2</a> Responsive Sep Statement, # <a href="#">3</a> Proposed Order)(Rifkin, Lori) (Filed on 12/7/2015) (Entered: 12/07/2015)
12/07/2015	<a href="#">143</a>	EXHIBITS re <a href="#">142</a> Opposition/Response to Motion, & <i>Declaration of Lori Rifkin</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <a href="#">1</a> Exhibits Volume 1 (Part 1 of 2), # <a href="#">2</a> Exhibits Volume 2 (Part 1 of 2), # <a href="#">3</a> Exhibits Volume 2 (Part 2 of 2), # <a href="#">4</a> Exhibits Volume 3 (Part 1 of 2), # <a href="#">5</a> Exhibits Volume 3 (Part 2 of 2), # <a href="#">6</a> Exhibits Volume 4 (Part 1 of 2), # <a href="#">7</a> Exhibits Volume 4 (Part 2 of 2), # <a href="#">8</a> Exhibits Volume 5 (Part 1 of 2), # <a href="#">9</a> Exhibits Volume 5 (Part 2 of 2), # <a href="#">10</a> Exhibits Volume 6, # <a href="#">11</a> Exhibits Volume 7, # <a href="#">12</a> Exhibits Volume 8)(Related document(s) <a href="#">142</a> ) (Rifkin, Lori) (Filed on 12/7/2015) (Entered: 12/08/2015)
12/08/2015	<a href="#">144</a>	STIPULATION WITH PROPOSED ORDER re <a href="#">97</a> MOTION for Summary Judgment filed by City of Monterey, Brent Hall, Philip Penko. (Thompson, Ryan) (Filed on 12/8/2015) (Entered: 12/08/2015)
12/08/2015	<a href="#">145</a>	<b>STIPULATION AND ORDER REGARDING DEFENDANT CHIEF PHILIP PENKO'S STATUS PERTAINING TO CITY OF MONTEREY AND OFFICER BRENT HALL'S MOTION FOR SUMMARY JUDGMENT (approving <a href="#">144</a> ). Signed by Judge Beth Labson Freeman on 12/8/2015. (blflc1S, COURT STAFF) (Filed on 12/8/2015) (Entered: 12/08/2015)</b>
12/10/2015	<a href="#">146</a>	MOTION for Summary Judgment <i>Against County of Monterey and Sheriff Miller</i> filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 1/14/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 12/24/2015. Replies due by 12/31/2015. (Attachments: # <a href="#">1</a> Plaintiff's Separate Statement, # <a href="#">2</a> Proposed Order)(Rifkin, Lori) (Filed on 12/10/2015) (Entered: 12/10/2015)
12/10/2015	<a href="#">147</a>	Declaration of Lori Rifkin in Support of <a href="#">146</a> MOTION for Summary Judgment <i>Against County of Monterey and Sheriff Miller</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <a href="#">1</a> Exhibit Volume 1 (Part 1 of 2), # <a href="#">2</a> Exhibit Volume 1 (Part 2 of 2), # <a href="#">3</a> Exhibit Volume 2 (Part 1 of 2), # <a href="#">4</a> Exhibit Volume 2 (Part 2 of 2), # <a href="#">5</a> Exhibit Volume 3 (Part 1 of 2), # <a href="#">6</a> Exhibit Volume 3 (Part 2 of 2), # <a href="#">7</a> Exhibit Volume 4 (Part 1 of 2), # <a href="#">8</a> Exhibit Volume 4 (Part 2 of 2))(Related document(s) <a href="#">146</a> ) (Rifkin, Lori) (Filed on 12/10/2015) (Entered: 12/10/2015)
12/18/2015	<a href="#">148</a>	RESPONSE (re <a href="#">141</a> MOTION for Summary Judgment <i>or in the Alternative, Summary Adjudication,</i> ) filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <a href="#">1</a> Responsive Separate Statement, # <a href="#">2</a> Declaration of Mohammad Tajsar and Exhibits in Support of Plaintiffs' Opp to Defts' MSJ – Volume 1 (Part 1 of 2), # <a href="#">3</a> Declaration of Mohammad Tajsar and Exhibits in Support of Plaintiffs' Opp to Defts' MSJ – Volume 1 (Part 2 of 2), # <a href="#">4</a> Declaration of Mohammad Tajsar and Exhibits in Support of Plaintiffs' Opp to Defts' MSJ – Volume 2 (Part 1 of 2), # <a href="#">5</a> Declaration of Mohammad Tajsar and Exhibits in Support of Plaintiffs' Opp to Defts' MSJ – Volume 2 (Part 2 of 2), # <a href="#">6</a> Proposed Order)(Tajsar, Mohammad) (Filed on 12/18/2015) (Entered: 12/18/2015)
12/23/2015	<a href="#">149</a>	RESPONSE (re <a href="#">146</a> MOTION for Summary Judgment <i>Against County of Monterey and Sheriff Miller</i> ) filed by County Of Monterey, E. Kaye, Scott Miller. (Attachments: # <a href="#">1</a> Declaration of Irven L. Grant, # <a href="#">2</a> Declaration of Cmdr. Johnathan Thornburg, # <a href="#">3</a> Declaration Response to Plaintiffs' Separate Statement, # <a href="#">4</a> Proposed Order, # <a href="#">5</a> Certificate/Proof of Service)(Grant, Irven) (Filed on 12/23/2015) (Entered: 12/23/2015)
12/23/2015	<a href="#">150</a>	RESPONSE (re <a href="#">146</a> MOTION for Summary Judgment <i>Against County of Monterey and Sheriff Miller</i> ) filed by County Of Monterey, E. Kaye, Scott Miller. (Attachments: # <a href="#">1</a> Proposed Order)(Grant, Irven) (Filed on 12/23/2015) (Entered: 12/23/2015)
12/28/2015	<a href="#">151</a>	REPLY (re <a href="#">141</a> MOTION for Summary Judgment <i>or in the Alternative, Summary Adjudication,</i> ) filed by County Of Monterey, E. Kaye, Scott Miller. (Attachments: # <a href="#">1</a> Certificate/Proof of Service)(Grant, Irven) (Filed on 12/28/2015) (Entered: 12/28/2015)



12/28/2015	<u>152</u>	RESPONSE (re <u>124</u> MOTION for Summary Judgment ) filed by California Forensic Medical Group. (Attachments: # <u>1</u> Separate Statement, # <u>2</u> Declaration Peter G. Bertling, # <u>3</u> Exhibit, # <u>4</u> Declaration Taylor Fithian, M.D., # <u>5</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 12/28/2015) (Entered: 12/28/2015)
12/30/2015	<u>153</u>	NOTICE OF DECISION REGARDING SUPPLEMENTAL BRIEF IN SUPPORT OF PLAINTIFFS OPPOSITION TO DEFENDANTS CITY OF MONTEREY AND OFFICER BRENT HALLS NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, FOR PARTIAL SUMMARY JUDGMENT by Joshua Claypole, Silvia Guersenzvaig re <u>129</u> Supplemental Brief (Tajsar, Mohammad) (Filed on 12/30/2015) Modified on 12/31/2015 (bwS, COURT STAFF). (Entered: 12/30/2015)
12/30/2015	154	CLERK'S NOTICE RESETTING TIME AND COURTROOM LOCATION FOR JANUARY 5, 2016 MOTION HEARING, resetting <u>122</u> MOTION for Sanctions and to Compel Discovery: Motion Hearing set for 1/5/2016 at 4:45 PM (SPECIAL SET) in Courtroom 1, 5th Floor, San Jose before Magistrate Judge Paul Singh Grewal. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ofr, COURT STAFF) (Filed on 12/30/2015) (Entered: 12/30/2015)
12/31/2015	<u>155</u>	Brief re <u>153</u> Notice (Other), <i>Response to Pltfs' Notice re Castro case, filed 12-30-15</i> filed by City of Monterey, Brent Hall, Philip Penko. (Related document(s) <u>153</u> ) (Thompson, Ryan) (Filed on 12/31/2015) (Entered: 12/31/2015)
12/31/2015	<u>156</u>	REPLY (re <u>146</u> MOTION for Summary Judgment <i>Against County of Monterey and Sheriff Miller</i> ) filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Plaintiffs' Reply Separate Statement)(Tajsar, Mohammad) (Filed on 12/31/2015) (Entered: 12/31/2015)
12/31/2015	157	CLERK'S NOTICE ADVANCING TIME ON JANUARY 5, 2016 MOTION HEARING, advancing time as to <u>122</u> MOTION for Sanctions and to Compel Discovery: 1/5/2016 4:45 PM Motion Hearing is advanced to 10:00 AM in Courtroom 5, 4th Floor, San Jose before Magistrate Judge Paul Singh Grewal. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ofr, COURT STAFF) (Filed on 12/31/2015) (Entered: 12/31/2015)
01/04/2016	<u>158</u>	REPLY (re <u>124</u> MOTION for Summary Judgment ) <i>in Support of Plaintiffs' Motion for Partial Summary Judgment Against Defendants CFMG and Fithian</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Plaintiffs' Reply Separate Statement of Facts)(Rifkin, Lori) (Filed on 1/4/2016) (Entered: 01/04/2016)
01/05/2016	159	<b>Minute Entry for proceedings held before Magistrate Judge Paul Singh Grewal: Motion Hearing held on 1/5/2016 re <u>122</u> MOTION for Sanctions and to Compel Discovery: Oral arguments presented. The court takes matter under submission; written order to be issued. Court Reporter Name: Lee-Anne Shortridge. Time in Court: 9:59 to 10:27. Plaintiff Attorney(s) present: Lori Rifkin and Dan Stormer. Defendant Attorney present: Peter Bertling. This is a text only Minute Entry.</b> (ofr, COURT STAFF) (Date Filed: 1/5/2016) (Entered: 01/05/2016)
01/12/2016	<u>160</u>	<b>ORDER GRANTING <u>97</u> DEFENDANT HALL'S MOTION FOR SUMMARY JUDGMENT; DENYING <u>97</u> CITY OF MONTEREY'S MOTION FOR SUMMARY JUDGMENT; AND DENYING <u>108</u> PLAINTIFFS' MOTION FOR LEAVE TO SUBSTITUTE DETECTIVE KRUSE AS A DOE DEFENDANT. Signed by Judge Beth Labson Freeman on 1/12/2016. (blflc1, COURT STAFF) (Filed on 1/12/2016) (Entered: 01/12/2016)</b>
01/12/2016	<u>161</u>	<b>ORDER GRANTING MOTION FOR SANCTIONS AND TO COMPEL DISCOVERY by Magistrate Judge Paul Singh Grewal granting <u>122</u> (psglc2, COURT STAFF) (Filed on 1/12/2016) (Entered: 01/12/2016)</b>
01/13/2016	<u>162</u>	MOTION to Appear by Telephone <i>at January 14, 2016, Hearings on the Parties' Summary Judgment Motions</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Declaration in Supp of Motion to Appear by Telephone, # <u>2</u> Proposed Order)(Tajsar, Mohammad) (Filed on 1/13/2016) (Entered: 01/13/2016)
01/13/2016	<u>163</u>	<b>ORDER GRANTING <u>162</u> PLAINTIFFS' REQUEST TO APPEAR TELEPHONICALLY AT THE JANUARY 14, 2016 HEARINGS ON THE PARTIES' SUMMARY JUDGMENT MOTIONS. Signed by Judge Beth Labson</b>

		<b>Freeman on 1/13/2016. (blflc1, COURT STAFF) (Filed on 1/13/2016) (Entered: 01/13/2016)</b>
01/13/2016	<u>164</u>	<b>NOTICE OF ERRATA RE <u>160</u> ORDER GRANTING DEFENDANT HALL'S MOTION FOR SUMMARY JUDGMENT; DENYING CITY OF MONTEREY'S MOTION FOR SUMMARY JUDGMENT; AND DENYING PLAINTIFFS' MOTION FOR LEAVE TO SUBSTITUTE DETECTIVE KRUSE AS A DOE DEFENDANT. Signed by Judge Beth Labson Freeman on 1/13/2016. (blflc1, COURT STAFF) (Filed on 1/13/2016) (Entered: 01/13/2016)</b>
01/14/2016	165	<b>Minute Entry for proceedings held before Hon. Beth Labson Freeman: Motion Hearing held on 1/14/2016 re <u>141</u> MOTION for Summary Judgment <i>or in the Alternative, Summary Adjudication</i>, filed by E. Kaye, Scott Miller, County Of Monterey, <u>146</u> MOTION for Summary Judgment <i>Against County of Monterey and Sheriff Miller</i> filed by Joshua Claypole, Silvia Guersenzvaig, <u>112</u> MOTION for Joinder of Parties filed by California Forensic Medical Group, Taylor Fithian, <u>124</u> MOTION for Summary Judgment filed by California Forensic Medical Group, Taylor Fithian. Additional briefing on motion for joinder due by 01/28/2016. The Court takes the matters under submission. Case referred to Judge Cousins for settlement purposes. Court Reporter Name: Summer Fisher, Time in Court: 9:53 – 11:15.Plaintiff Attorney: Joshua Piovio–Scott, Lori Rifkin, Mohammad K. Tajsar. Defendant Attorney: Irven L Grant, Peter George Bertling. This is a text only Minute Entry (tshS, COURT STAFF)(Date Filed: 1/14/2016) (Entered: 01/14/2016)</b>
01/15/2016	<u>166</u>	TRANSCRIPT ORDER by County Of Monterey, E. Kaye, Scott Miller for Court Reporter Summer Fisher. (Grant, Irven) (Filed on 1/15/2016) (Entered: 01/15/2016)
01/15/2016	<u>167</u>	Declaration of Lori Rifkin in Support of <u>161</u> Order on Motion for Sanctions filed by Joshua Claypole, Silvia Guersenzvaig. (Attachments: # <u>1</u> Declaration of Dan Stormer in Support of Fee Petition)(Related document(s) <u>161</u> ) (Rifkin, Lori) (Filed on 1/15/2016) (Entered: 01/15/2016)
01/18/2016	<u>168</u>	Declaration of Peter G. Bertling in Support of <u>161</u> Order on Motion for Sanctions <i>in Compliance with the Honorable Paul Grewal's January 12, 2016 Order Granting Motion for Sanctions and to Compel Discovery</i> filed by California Forensic Medical Group, Taylor Fithian. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate/Proof of Service)(Related document(s) <u>161</u> ) (Bertling, Peter) (Filed on 1/18/2016) (Entered: 01/18/2016)
01/19/2016	<u>169</u>	TRANSCRIPT ORDER by California Forensic Medical Group for Court Reporter Summer Fisher. (Bertling, Peter) (Filed on 1/19/2016) (Entered: 01/19/2016)
01/22/2016	<u>170</u>	Transcript of Proceedings held on 01/14/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408–288–6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re <u>166</u> Transcript Order ) Release of Transcript Restriction set for 4/21/2016. (Related documents(s) <u>166</u> ) (Fisher, Summer) (Filed on 1/22/2016) (Entered: 01/22/2016)
01/25/2016	171	CLERK'S NOTICE SETTING STATUS CONFERENCE: Status Conference set for 1/25/2016 at 3:15 PM (SPECIAL SET) in Courtroom 5, 4th Floor, San Jose before Magistrate Judge Paul Singh Grewal. Parties requesting to appear telephonically are instructed to contact CourtCall at 866–582–6878 to arrange for telephonic appearance. <i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (ofr, COURT STAFF) (Filed on 1/25/2016) (Entered: 01/25/2016)
01/25/2016	172	<b>Minute Entry for proceedings held before Magistrate Judge Paul Singh Grewal: Status Conference held on 1/25/2016. Mr. Bertling is allowed to pay full amount of attorneys fees within 21 days. FTR Time: 3:32 to 3:44. Plaintiff Attorney present (telephonically): Lori Rifkin. Defendant Attorney(s) present (telephonically): Peter Bertling and Irven Grant. This is a text only Minute Entry. (ofr, COURT STAFF) (Date Filed: 1/25/2016) (Entered: 01/25/2016)</b>



01/26/2016	<u>173</u>	Supplemental Brief re <u>112</u> MOTION for Joinder of Parties filed by California Forensic Medical Group. (Related document(s) <u>112</u> ) (Bertling, Peter) (Filed on 1/26/2016) (Entered: 01/26/2016)
01/28/2016	<u>174</u>	Supplemental Brief re <u>112</u> MOTION for Joinder of Parties filed by Joshua Claypole, Silvia Guersenzvaig. (Related document(s) <u>112</u> ) (Tajsar, Mohammad) (Filed on 1/28/2016) (Entered: 01/28/2016)
02/04/2016	<u>175</u>	<b>NOTICE OF SETTLEMENT CONFERENCE AND ORDER – Settlement Conference set for 2/23/2016 12:00 PM in Courtroom 7, 4th Floor, San Jose. Signed by Judge Nathanael Cousins on 2/4/2016.</b> (Attachments: # <u>1</u> Standing Order)(lmh, COURT STAFF) (Filed on 2/4/2016) (Entered: 02/04/2016)
02/11/2016	<u>176</u>	<b>ORDER DENYING <u>112</u> MOTION OF DEFENDANTS CFMG AND FITHIAN TO JOIN PATRICIO CLAYPOLE AS A PARTY. Signed by Judge Beth Labson Freeman on 2/11/2016. (blflc1, COURT STAFF) (Filed on 2/11/2016) (Entered: 02/11/2016)</b>
02/22/2016	177	CLERK'S NOTICE RESETTING Settlement Conference to 11:00 AM on 2/23/2016 before Magistrate Judge Cousins in Courtroom 7, 4th Floor, San Jose. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (lmh, COURT STAFF) (Filed on 2/22/2016) (Entered: 02/22/2016)
02/22/2016	<u>178</u>	<b>ORDER GRANTING IN PART <u>141</u> COUNTY DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND DENYING <u>146</u> PLAINTIFFS' CROSS-MOTION; AND GRANTING IN PART <u>124</u> MEDICAL DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND DENYING <u>142</u> PLAINTIFFS' CROSS-MOTION. Signed by Judge Beth Labson Freeman on 2/22/2016. (blflc1, COURT STAFF) (Filed on 2/22/2016) (Entered: 02/22/2016)</b>
02/23/2016	179	<b>Minute Entry for proceedings held before Magistrate Judge Nathanael M. Cousins.</b> <b>Settlement Conference held on 2/23/2016: discussions continue; response to settlement proposal due 2/26 4:00 PM.</b> Attorneys for Plaintiffs: Dan Stormer, Lori Rifkin. Attorney for County of Monterey Defendants: Susan Blich. Attorney for CFMG Defendants: Peter Bertling. Attorneys for City of Monterey Defendants: Vincent Hurley, Ryan Thompson. (FTR Time Not recorded.) <i>This is a text only Minute Entry.</i> (lmh, COURT STAFF) (Date Filed: 2/23/2016) (Entered: 02/24/2016)
03/02/2016	<u>180</u>	Declaration of Lori Rifkin in Support of <u>161</u> Order on Motion for Sanctions filed by Joshua Claypole, Silvia Guersenzvaig. (Related document(s) <u>161</u> ) (Rifkin, Lori) (Filed on 3/2/2016) (Entered: 03/02/2016)
03/16/2016	181	CLERK'S NOTICE SETTING Further Settlement Conference for 3/28/2016 10:00 AM. Courtroom location to be determined. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (lmh, COURT STAFF) (Filed on 3/16/2016) (Entered: 03/16/2016)
03/16/2016		Set Hearing: Further Settlement Conference set for 3/28/2016 10:00 AM before Magistrate Judge Cousins in Courtroom 7, 4th Floor, San Jose. (lmh, COURT STAFF) (Filed on 3/16/2016) (Entered: 03/16/2016)
03/17/2016	<u>182</u>	<b>Docketed in Error; Please see document number 189 for correction.</b> MOTION in Limine No. 1 filed by City of Monterey, Philip Penko. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. Replies due by 3/31/2016. (Attachments: # <u>1</u> Declaration of Ryan Thompson, # <u>2</u> Proposed Order)(Thompson, Ryan) (Filed on 3/17/2016) Modified on 3/18/2016 (srnS, COURT STAFF). (Entered: 03/17/2016)
03/17/2016	<u>183</u>	MOTION in Limine No. 1 filed by California Forensic Medical Group. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. Replies due by 3/31/2016. (Attachments: # <u>1</u> Proposed Order)(Bertling, Peter) (Filed on 3/17/2016) (Entered: 03/17/2016)

03/17/2016	<u>184</u>	<b>Docketed in Error; Please See document Number 190 for correction.</b> MOTION in Limine No. 2 filed by City of Monterey, Philip Penko. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Declaration of Ryan Thompson, # <u>2</u> Proposed Order)(Thompson, Ryan) (Filed on 3/17/2016) Modified on 3/18/2016 (srnS, COURT STAFF). (Entered: 03/17/2016)
03/17/2016	<u>185</u>	<b>Docketed in Error; Please see document number 191 for correction.</b> MOTION in Limine No. 3 filed by City of Monterey, Philip Penko. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Proposed Order)(Thompson, Ryan) (Filed on 3/17/2016) Modified on 3/18/2016 (srnS, COURT STAFF). (Entered: 03/17/2016)
03/17/2016	<u>186</u>	MOTION in Limine No. 2 filed by California Forensic Medical Group. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. Replies due by 3/31/2016. (Attachments: # <u>1</u> Proposed Order)(Bertling, Peter) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>187</u>	MOTION in Limine No. 3 filed by California Forensic Medical Group. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. Replies due by 3/31/2016. (Attachments: # <u>1</u> Declaration of Peter G. Bertling, # <u>2</u> Proposed Order, # <u>3</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>188</u>	EXHIBITS re <u>187</u> MOTION in Limine No. 3 filed by California Forensic Medical Group. (Related document(s) <u>187</u> ) (Bertling, Peter) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>189</u>	MOTION in Limine No. 1 ( <i>CORRECTION OF DOCKET # <u>182</u>, [<u>182-1</u>], [<u>182-2</u>]</i> ) filed by City of Monterey, Philip Penko. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Declaration of Ryan Thompson, # <u>2</u> Proposed Order)(Thompson, Ryan) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>190</u>	MOTION in Limine No. 2 ( <i>CORRECTION OF DOCKET # <u>184</u>, [<u>184-1</u>], [<u>184-2</u>]</i> ) filed by City of Monterey, Philip Penko. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Declaration of Ryan Thompson, # <u>2</u> Proposed Order)(Thompson, Ryan) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>191</u>	MOTION in Limine No. 3 ( <i>CORRECTION OF DOCKET # <u>185</u>, [<u>185-1</u>]</i> ) filed by City of Monterey, Philip Penko. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Proposed Order)(Thompson, Ryan) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>192</u>	MOTION in Limine #1 to Exclude Evidence or Testimony Regarding Time Claypole Spent in Administrative Segregation filed by County Of Monterey, Scott Miller. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Declaration of Captain James Bass, # <u>2</u> Proposed Order)(Grant, Irven) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>193</u>	MOTION in Limine No. 2 to Exclude Use of or Testimony Regarding Phrase "Lock Down" filed by County Of Monterey, Scott Miller. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Proposed Order)(Grant, Irven) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>194</u>	MOTION in Limine No. 3 to Exclude Evidence or Testimony Regarding County Supervision Over CFMG Employees and Medical/Mental Health Matters filed by County Of Monterey, Scott Miller. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Proposed Order)(Grant, Irven) (Filed on 3/17/2016) (Entered: 03/17/2016)

03/17/2016	<u>195</u>	MOTION in Limine No. 4 to Exclude Expert Reports and Expert Discovery from <i>Hernandez v. County of Monterey</i> filed by County Of Monterey, Scott Miller. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Proposed Order)(Grant, Irven) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>196</u>	MOTION in Limine No. 5 to Exclude Evidence or Testimony Regarding <i>Hernandez v. County of Monterey</i> filed by County Of Monterey, Scott Miller. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Proposed Order)(Grant, Irven) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>197</u>	MOTION in Limine No. 6 to Exclude use of or Testimony Regarding Phrase "Hanging Points" filed by County Of Monterey, Scott Miller. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Proposed Order)(Grant, Irven) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>198</u>	MOTION in Limine No. 7 to Exclude Evidence or Testimony Regarding 2007 and 2011 Monterey County Jail Needs Assessments filed by County Of Monterey, Scott Miller. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Proposed Order)(Grant, Irven) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>199</u>	MOTION in Limine No. 8 to Exclude Evidence or Testimony Regarding Any Reference to Subsequent Suicides or Attempted Suicides in the Jail filed by County Of Monterey, Scott Miller. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Attachments: # <u>1</u> Proposed Order)(Grant, Irven) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>200</u>	CERTIFICATE OF SERVICE by County Of Monterey, Scott Miller re <u>194</u> MOTION in Limine No. 3 to Exclude Evidence or Testimony Regarding County Supervision Over CFMG Employees and Medical/Mental Health Matters, <u>192</u> MOTION in Limine #1 to Exclude Evidence or Testimony Regarding Time Claypole Spent in Administrative Segregation, <u>199</u> MOTION in Limine No. 8 to Exclude Evidence or Testimony Regarding Any Reference to Subsequent Suicides or Attempted Suicides in the Jail, <u>198</u> MOTION in Limine No. 7 to Exclude Evidence or Testimony Regarding 2007 and 2011 Monterey County Jail Needs Assessments, <u>195</u> MOTION in Limine No. 4 to Exclude Expert Reports and Expert Discovery from <i>Hernandez v. County of Monterey</i> , <u>193</u> MOTION in Limine No. 2 to Exclude Use of or Testimony Regarding Phrase "Lock Down", <u>197</u> MOTION in Limine No. 6 to Exclude use of or Testimony Regarding Phrase "Hanging Points", <u>196</u> MOTION in Limine No. 5 to Exclude Evidence or Testimony Regarding <i>Hernandez v. County of Monterey</i> (Grant, Irven) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>201</u>	MOTION in Limine No. 2 to Exclude Specific Testimony by Defendants' Experts Hayward and Roof and Defendant Fithian and Have Adverse Inferences Drawn filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Rifkin, Lori) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>202</u>	MOTION in Limine No. 4 to Preclude Defendants' Experts Hayward and Roof from Testifying that Defendants were not Deliberately Indifferent and Provided Constitutionally Sufficient Care filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Rifkin, Lori) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>203</u>	MOTION in Limine No. 8 to Exclude Introduction or Reference to Document Bates–Stamped JC 3816; Declaration of Lori E. Rifkin and Exhibit in Support Thereof filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Rifkin, Lori) (Filed on 3/17/2016) (Entered: 03/17/2016)

03/17/2016	<u>204</u>	MOTION in Limine No. 9 to Exclude Late-Disclosed Witnesses and Documents; Declaration of Lori E. Rifkin and Exhibits in Support Thereof filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 3/31/2016 01:30 PM before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Rifkin, Lori) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>205</u>	MOTION in Limine No. 3 to Exclude Defendant Taylor Fithian from Testifying as an Expert; Declaration of Mohammad Tajsar and Exhibit in Support Thereof filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Tajsar, Mohammad) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>206</u>	MOTION in Limine No. 5 to Exclude Evidence or Argument About the City of Monterey's Duty to Joshua Claypole filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Tajsar, Mohammad) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>207</u>	MOTION in Limine No. 6 to Exclude Reference to Patricio Claypole's Involvement in this Suit filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Tajsar, Mohammad) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>208</u>	MOTION in Limine No. 7 to Exclude Evidence Relating to Joshua Claypole's Sexual Orientation; Declaration of Mohammad Tajsar and Exhibit in Support Thereof filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Tajsar, Mohammad) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>209</u>	Pretrial Conference Statement by County Of Monterey, Scott Miller <i>Objections</i> . (Grant, Irvn) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>210</u>	MOTION in Limine No. 1 to Limit Prejudicial Reference, Evidence, or Argument Relating to Joshua Claypole's Arrest filed by Joshua Claypole, Silvia Guersenzvaig. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/24/2016. (Tajsar, Mohammad) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/17/2016	<u>211</u>	Pretrial Conference Statement by Joshua Claypole, Silvia Guersenzvaig and All Defendants. (Attachments: # <u>1</u> Appendix A – Witness Lists & Ex. A-1, # <u>2</u> Appendix B – Joint Trial Exhibit List, # <u>3</u> Appendix C – Discovery Responses & Exs. C-1 --- C-4)(Rifkin, Lori) (Filed on 3/17/2016) (Entered: 03/17/2016)
03/18/2016	<u>212</u>	Pretrial Conference Statement by County Of Monterey, Scott Miller <i>Supplemental</i> . (Attachments: # <u>1</u> Certificate/Proof of Service)(Grant, Irvn) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	<u>213</u>	Pretrial Conference Statement by California Forensic Medical Group <i>Supplemental</i> . (Attachments: # <u>1</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	<u>214</u>	Proposed Order re <u>210</u> MOTION in Limine No. 1 to Limit Prejudicial Reference, Evidence, or Argument Relating to Joshua Claypole's Arrest by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	<u>215</u>	Proposed Order re <u>201</u> MOTION in Limine No. 2 to Exclude Specific Testimony by Defendants' Experts Hayward and Roof and Defendant Fithian and Have Adverse Inferences Drawn by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	<u>216</u>	Proposed Order re <u>205</u> MOTION in Limine No. 3 to Exclude Defendant Taylor Fithian from Testifying as an Expert; Declaration of Mohammad Tajsar and Exhibit in Support Thereof by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	<u>217</u>	Proposed Order re <u>202</u> MOTION in Limine No. 4 to Preclude Defendants' Experts Hayward and Roof from Testifying that Defendants were not Deliberately Indifferent



		<i>and Provided Constitutionally Sufficient Care</i> by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	<u>218</u>	Proposed Order re <u>206</u> MOTION in <i>Limine No. 5 to Exclude Evidence or Argument About the City of Monterey's Duty to Joshua Claypole</i> by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	<u>219</u>	Proposed Order re <u>207</u> MOTION in <i>Limine No. 6 to Exclude Reference to Patricio Claypole's Involvement in this Suit</i> by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	<u>220</u>	Proposed Order re <u>208</u> MOTION in <i>Limine No. 7 to Exclude Evidence Relating to Joshua Claypole's Sexual Orientation; Declaration of Mohammad Tajsar and Exhibit in Support Thereof</i> by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	<u>221</u>	Proposed Order re <u>203</u> MOTION in <i>Limine No. 8 to Exclude Introduction or Reference to Document Bates–Stamped JC 3816; Declaration of Lori E. Rifkin and Exhibit in Support Thereof</i> by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	<u>222</u>	Proposed Order re <u>204</u> MOTION in <i>Limine No. 9 to Exclude Late–Disclosed Witnesses and Documents; Declaration of Lori E. Rifkin and Exhibits in Support Thereof</i> by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/22/2016	<u>223</u>	MOTION Excuse Appearance at Trial filed by Scott Miller. Motion Hearing set for 3/31/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 3/29/2016. (Attachments: # <u>1</u> Declaration of Scott Miller, # <u>2</u> Proposed Order, # <u>3</u> Certificate/Proof of Service)(Grant, Irven) (Filed on 3/22/2016) (Entered: 03/22/2016)
03/24/2016	<u>224</u>	NOTICE of Appearance by Janet L. Holmes (Holmes, Janet) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>225</u>	NOTICE of Appearance by William Merrill Litt (Attachments: # <u>1</u> Certificate/Proof of Service)(Litt, William) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>226</u>	RESPONSE (re <u>191</u> MOTION in <i>Limine No. 3 (CORRECTION OF DOCKET # 185, [185–1])</i> ) <i>PLAINTIFFS OPPOSITION TO DEFENDANTS CITY OF MONTEREY AND CHIEF PHILIP PENKOS MOTION IN LIMINE NO. 3: TO PRECLUDE GOLDEN RULE ARGUMENTS</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>227</u>	RESPONSE (re <u>187</u> MOTION in <i>Limine No. 3</i> ) <i>PLAINTIFFS OPPOSITION TO DEFENDANTS CALIFORNIA FORENSIC MEDICAL GROUP AND TAYLOR FITHIAN, M.D.S MOTION IN LIMINE THREE (3) TO EXCLUDE EVIDENCE AND TESTIMONY OF EXPERTS PERSONAL PREFERENCES AND PRACTICES</i> filed by Joshua Claypole, Silvia Guersenzvaig. (Rifkin, Lori) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>228</u>	<b>ORDER SETTING CASE MANAGEMENT CONFERENCE FOR MARCH 28, 2016; AND SETTING JURY INSTRUCTION CONFERENCE FOR APRIL 1, 2016. Further Case Management Conference set for 3/28/2016, immediately following Settlement Conference, in Courtroom 3, 5th Floor, San Jose. Jury Instruction Conference set for 4/1/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Signed by Judge Beth Labson Freeman on 3/24/2016. (blf1c1S, COURT STAFF) (Filed on 3/24/2016) (Entered: 03/24/2016)</b>
03/24/2016	<u>229</u>	RESPONSE (re <u>210</u> MOTION in <i>Limine No. 1 to Limit Prejudicial Reference, Evidence, or Argument Relating to Joshua Claypole's Arrest</i> ) filed by County Of Monterey, Scott Miller. (Attachments: # <u>1</u> Declaration of Captain James Bass)(Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>230</u>	RESPONSE (re <u>201</u> MOTION in <i>Limine No. 2 to Exclude Specific Testimony by Defendants' Experts Hayward and Roof and Defendant Fithian and Have Adverse Inferences Drawn</i> ) filed by County Of Monterey, Scott Miller. (Grant, Irven) (Filed on

		3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>231</u>	RESPONSE (re <u>205</u> MOTION in Limine No. 3 to Exclude Defendant Taylor Fithian from Testifying as an Expert; Declaration of Mohammad Tajsar and Exhibit in Support Thereof ) filed byCounty Of Monterey, Scott Miller. (Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>232</u>	RESPONSE (re <u>202</u> MOTION in Limine No. 4 to Preclude Defendants' Experts Hayward and Roof from Testifying that Defendants were not Deliberately Indifferent and Provided Constitutionally Sufficient Care ) filed byCounty Of Monterey, Scott Miller. (Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>233</u>	RESPONSE (re <u>206</u> MOTION in Limine No. 5 to Exclude Evidence or Argument About the City of Monterey's Duty to Joshua Claypole ) filed byCounty Of Monterey, Scott Miller. (Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>234</u>	RESPONSE (re <u>207</u> MOTION in Limine No. 6 to Exclude Reference to Patricia Claypole's Involvement in this Suit ) filed byCounty Of Monterey, Scott Miller. (Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>235</u>	RESPONSE (re <u>189</u> MOTION in Limine No. 1 (CORRECTION OF DOCKET # <u>182</u> , [182-1], [182-2]) ) PLAINTIFFS OPPOSITION TO DEFENDANTS CITY OF MONTEREY AND CHIEF PHILIP PENKOS MOTION IN LIMINE NO. 1: TO PERMIT EVIDENCE OF CRIME SCENE; DECLARATION OF MOHAMMAD TAJ SAR IN SUPPORT THEREOF filed byJoshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>236</u>	RESPONSE (re <u>208</u> MOTION in Limine No. 7 to Exclude Evidence Relating to Joshua Claypole's Sexual Orientation; Declaration of Mohammad Tajsar and Exhibit in Support Thereof ) filed byCounty Of Monterey, Scott Miller. (Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>237</u>	RESPONSE (re <u>203</u> MOTION in Limine No. 8 to Exclude Introduction or Reference to Document Bates–Stamped JC 3816; Declaration of Lori E. Rifkin and Exhibit in Support Thereof ) filed byCounty Of Monterey, Scott Miller. (Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>238</u>	RESPONSE (re <u>204</u> MOTION in Limine No. 9 to Exclude Late–Disclosed Witnesses and Documents; Declaration of Lori E. Rifkin and Exhibits in Support Thereof ) filed byCounty Of Monterey, Scott Miller. (Attachments: # <u>1</u> Certificate/Proof of Service)(Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>239</u>	RESPONSE (re <u>205</u> MOTION in Limine No. 3 to Exclude Defendant Taylor Fithian from Testifying as an Expert; Declaration of Mohammad Tajsar and Exhibit in Support Thereof ) filed byCalifornia Forensic Medical Group. (Bertling, Peter) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>240</u>	RESPONSE (re <u>193</u> MOTION in Limine No. 2 to Exclude Use of or Testimony Regarding Phrase "Lock Down" ) filed byJoshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>241</u>	RESPONSE (re <u>204</u> MOTION in Limine No. 9 to Exclude Late–Disclosed Witnesses and Documents; Declaration of Lori E. Rifkin and Exhibits in Support Thereof ) filed byCalifornia Forensic Medical Group. (Attachments: # <u>1</u> Declaration of Peter Bertling, # <u>2</u> Exhibit A)(Bertling, Peter) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>242</u>	RESPONSE (re <u>197</u> MOTION in Limine No. 6 to Exclude use of or Testimony Regarding Phrase "Hanging Points" ) PLAINTIFFS OPPOSITION TO DEFENDANTS COUNTY OF MONTEREY, SHERIFF SCOTT MILLER AND SERGEANT E. KAYES MOTION IN LIMINE #6 TO EXCLUDE USE OF OR TESTIMONY REGARDING THE PHRASE HANGING POINTS; DECLARATION OF MOHAMMAD TAJ SAR AND EXHIBIT IN SUPPORT THEREOF filed byJoshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>243</u>	Proposed Voir Dire by Joshua Claypole, Silvia Guersenzvaig . (Stormer, Dan) (Filed on 3/24/2016) (Entered: 03/24/2016)



03/24/2016	<u>244</u>	Proposed Form of Verdict by Joshua Claypole, Silvia Guersenzvaig – <i>Phase 1</i> . (Attachments: # <u>1</u> Plaintiffs' Proposed Verdict Form – Phase 2, # <u>2</u> Plaintiffs' Proposed Verdict Form – Damages Phase, # <u>3</u> Plaintiffs' Proposed Verdict Form – Punitive Damages Phase)(Stormer, Dan) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>245</u>	RESPONSE (re <u>198</u> MOTION in Limine No. 7 to Exclude Evidence or Testimony Regarding 2007 and 2011 Monterey County Jail Needs Assessments ) PLAINTIFFS OPPOSITION TO DEFENDANTS COUNTY OF MONTEREY, SHERIFF SCOTT MILLER AND SERGEANT E. KAYES MOTION IN LIMINE #7 TO EXCLUDE EVIDENCE OR TESTIMONY REGARDING 2007 AND 2011 MONTEREY COUNTY JAIL NEEDS ASSESSMENTS filed by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>246</u>	Statement ( <i>Preliminary</i> ) to the Jury by Plaintiffs by Joshua Claypole, Silvia Guersenzvaig. (Stormer, Dan) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>247</u>	Proposed Jury Instructions by County Of Monterey, Scott Miller . (Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>248</u>	Proposed Form of Verdict by County Of Monterey, Scott Miller . (Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>249</u>	Proposed Voir Dire by County Of Monterey, Scott Miller . (Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>250</u>	Statement <i>Proposed Preliminary Statement to Jury</i> by County Of Monterey, Scott Miller. (Attachments: # <u>1</u> Certificate/Proof of Service)(Grant, Irven) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>251</u>	EXHIBITS re <u>241</u> Opposition/Response to Motion, to plaintiff's motion in limine number nine filed by California Forensic Medical Group. (Related document(s) <u>241</u> ) (Bertling, Peter) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>252</u>	Statement of Non–Opposition re <u>190</u> MOTION in Limine No. 2 ( <i>CORRECTION OF DOCKET # 184</i> , [184–1], [184–2]) PLAINTIFFS STATEMENT OF NON–OPPOSITION TO DEFENDANTS CITY OF MONTEREY AND CHIEF PHILIP PENKOS MOTION IN LIMINE NO. 2: TO EXCLUDE PLAINTIFFS EXPERT DR. RAYMOND PATTERSON FROM TESTIFYING AT TRIAL REGARDING THE CITYS ALLEGED LIABILITY OR CUSTODY OF CLAYPOLE filed by Joshua Claypole, Silvia Guersenzvaig. (Related document(s) <u>190</u> ) (Tajsar, Mohammad) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>253</u>	EXHIBITS re <u>241</u> Opposition/Response to Motion, to plaintiff's motion in limine number nine filed by California Forensic Medical Group. (Attachments: # <u>1</u> Exhibit C, # <u>2</u> Exhibit D)(Related document(s) <u>241</u> ) (Bertling, Peter) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>254</u>	Joinder re <u>199</u> MOTION in Limine No. 8 to Exclude Evidence or Testimony Regarding Any Reference to Subsequent Suicides or Attempted Suicides in the Jail by California Forensic Medical Group. (Bertling, Peter) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>255</u>	TRIAL BRIEF by California Forensic Medical Group. (Bertling, Peter) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>256</u>	Proposed Jury Instructions by California Forensic Medical Group . (Attachments: # <u>1</u> Exhibit, # <u>2</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>257</u>	RESPONSE (re <u>210</u> MOTION in Limine No. 1 to Limit Prejudicial Reference, Evidence, or Argument Relating to Joshua Claypole's Arrest ) filed by City of Monterey, Philip Penko. (Attachments: # <u>1</u> Declaration of Ryan M. Thompson, # <u>2</u> Manual Filing Notification)(Thompson, Ryan) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>258</u>	RESPONSE (re <u>206</u> MOTION in Limine No. 5 to Exclude Evidence or Argument About the City of Monterey's Duty to Joshua Claypole ) filed by City of Monterey, Philip Penko. (Attachments: # <u>1</u> Declaration of Ryan M. Thompson, # <u>2</u> Declaration of Hall, # <u>3</u> Declaration of Kruse)(Thompson, Ryan) (Filed on 3/24/2016) (Entered: 03/24/2016)

		03/24/2016)
03/24/2016	<u>259</u>	CORRECTED RESPONSE (re <u>191</u> MOTION in Limine No. 3 (CORRECTION OF DOCKET # <u>185</u> , [185-1]) ) PLAINTIFFS CORRECTED OPPOSITION TO DEFENDANTS CITY OF MONTEREY AND CHIEF PHILIP PENKOS MOTION IN LIMINE NO. 3: TO PRECLUDE GOLDEN RULE ARGUMENTS filed by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 3/24/2016) Modified on 3/25/2016 (srnS, COURT STAFF). (Entered: 03/24/2016)
03/24/2016	<u>260</u>	RESPONSE (re <u>204</u> MOTION in Limine No. 9 to Exclude Late-Disclosed Witnesses and Documents; Declaration of Lori E. Rifkin and Exhibits in Support Thereof ) filed by City of Monterey, Philip Penko. (Attachments: # <u>1</u> Declaration of Ryan M. Thompson)(Thompson, Ryan) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>261</u>	Proposed Voir Dire by City of Monterey, Philip Penko . (Thompson, Ryan) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>262</u>	Proposed Form of Verdict by City of Monterey, Philip Penko . (Thompson, Ryan) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>263</u>	Proposed Jury Instructions by City of Monterey, Philip Penko . (Thompson, Ryan) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>264</u>	Statement (Preliminary to Jury) by City of Monterey, Philip Penko. (Thompson, Ryan) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>265</u>	RESPONSE (re <u>199</u> MOTION in Limine No. 8 to Exclude Evidence or Testimony Regarding Any Reference to Subsequent Suicides or Attempted Suicides in the Jail ) PLAINTIFFS OPPOSITION TO DEFENDANTS COUNTY OF MONTEREY, SHERIFF SCOTT MILLER AND SERGEANT E. KAYES MOTION IN LIMINE #8 TO EXCLUDE EVIDENCE OR TESTIMONY REGARDING, AND ANY REFERENCE TO SUBSEQUENT SUICIDES OR ATTEMPTED SUICIDES IN THE JAIL filed by Joshua Claypole, Silvia Guersenzvaig. (Rifkin, Lori) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>266</u>	RESPONSE (re <u>194</u> MOTION in Limine No. 3 to Exclude Evidence or Testimony Regarding County Supervision Over CFMG Employees and Medical/Mental Health Matters ) PLAINTIFFS OPPOSITION TO DEFENDANTS COUNTY OF MONTEREY, SHERIFF SCOTT MILLER AND SERGEANT E. KAYES MOTION IN LIMINE #3 TO EXCLUDE EVIDENCE OR TESTIMONY REGARDING COUNTY SUPERVISION/ OVERSIGHT OVER CFMG EMPLOYEES AND MEDICAL/MENTAL MATTERS filed by Joshua Claypole, Silvia Guersenzvaig. (Rifkin, Lori) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>267</u>	CORRECTED RESPONSE (re <u>187</u> MOTION in Limine No. 3 ) PLAINTIFFS CORRECTED OPPOSITION TO DEFENDANTS CALIFORNIA FORENSIC MEDICAL GROUP AND TAYLOR FITHIAN, M.D.S MOTION IN LIMINE THREE (3) TO EXCLUDE EVIDENCE AND TESTIMONY OF EXPERTS PERSONAL PREFERENCES AND PRACTICES filed by Joshua Claypole, Silvia Guersenzvaig. (Rifkin, Lori) (Filed on 3/24/2016) Modified on 3/25/2016 (srnS, COURT STAFF). (Entered: 03/24/2016)
03/24/2016	<u>268</u>	RESPONSE (re <u>195</u> MOTION in Limine No. 4 to Exclude Expert Reports and Expert Discovery from Hernandez v. County of Monterey, <u>196</u> MOTION in Limine No. 5 to Exclude Evidence or Testimony Regarding Hernandez v. County of Monterey, <u>186</u> MOTION in Limine No. 2, <u>183</u> MOTION in Limine No. 1 ) PLAINTIFFS OPPOSITION TO DEFENDANTS CALIFORNIA FORENSIC MEDICAL GROUP AND TAYLOR FITHIAN, M.D.S MOTIONS IN LIMINE ONE (1) & TWO (2) and DEFENDANT COUNTY OF MONTEREY AND SHERIFF MILLERS MOTIONS IN LIMINE FOUR (4) & FIVE (5) TO PRECLUDE REFERENCES AND EVIDENCE ASSOCIATED WITH HERNANDEZ V. COUNTY OF MONTEREY, ET AL.; DECLARATION OF LORI RIFKIN AND EXHIBITS IN SUPPORT filed by Joshua Claypole, Silvia Guersenzvaig. (Rifkin, Lori) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>269</u>	Proposed Jury Instructions by Joshua Claypole, Silvia Guersenzvaig and All Defendants. (Stormer, Dan) (Filed on 3/24/2016) (Entered: 03/24/2016)

03/24/2016	<u>270</u>	Proposed Jury Instructions by Joshua Claypole, Silvia Guersenzvaig ( <i>Disputed</i> ). (Stormer, Dan) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/24/2016	<u>271</u>	RESPONSE (re <u>192</u> MOTION in Limine #1 to Exclude Evidence or Testimony Regarding Time Claypole Spent in Administrative Segregation ) PLAINTIFFS OPPOSITION TO DEFENDANTS COUNTY OF MONTEREY, SHERIFF SCOTT MILLER AND SERGEANT E. KAYES MOTION IN LIMINE #1 TO EXCLUDE EVIDENCE OR TESTIMONY REGARDING THE AMOUNT OF TIME CLAYPOLE SPENT IN ADMINISTRATIVE SEGREGATION OR THE ALLEGED LONG TERM EFFECTS OF ADMINISTRATIVE SEGREGATION; DECLARATION OF MOHAMMAD TAJ SAR & EXHIBITS IN SUPPORT THEREOF filed by Joshua Claypole, Silvia Guersenzvaig. (Taj sar, Mohammad) (Filed on 3/24/2016) (Entered: 03/24/2016)
03/25/2016	<u>272</u>	Proposed Voir Dire by California Forensic Medical Group . (Bertling, Peter) (Filed on 3/25/2016) (Entered: 03/25/2016)
03/25/2016	<u>273</u>	Joinder re <u>250</u> Statement Preliminary Statement to the Jury by California Forensic Medical Group. (Attachments: # <u>1</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 3/25/2016) (Entered: 03/25/2016)
03/25/2016		Electronic filing error. Document filed in wrong case. [err401]Please re-file in its entirety. Re: <u>241</u> Opposition/Response to Motion, filed by California Forensic Medical Group (srnS, COURT STAFF) (Filed on 3/25/2016) (Entered: 03/25/2016)
03/25/2016	<u>274</u>	RESPONSE (re <u>204</u> MOTION in Limine No. 9 to Exclude Late-Disclosed Witnesses and Documents; Declaration of Lori E. Rifkin and Exhibits in Support Thereof ) Corrected Response filed by California Forensic Medical Group. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit A)(Bertling, Peter) (Filed on 3/25/2016) (Entered: 03/25/2016)
03/25/2016	<u>275</u>	RESPONSE (re <u>201</u> MOTION in Limine No. 2 to Exclude Specific Testimony by Defendants' Experts Hayward and Roof and Defendant Fithian and Have Adverse Inferences Drawn ) filed by California Forensic Medical Group. (Attachments: # <u>1</u> Declaration of Peter Bertling, # <u>2</u> Exhibit)(Bertling, Peter) (Filed on 3/25/2016) (Entered: 03/25/2016)
03/25/2016	<u>276</u>	Proposed Form of Verdict by California Forensic Medical Group . (Attachments: # <u>1</u> Certificate/Proof of Service)(Bertling, Peter) (Filed on 3/25/2016) (Entered: 03/25/2016)
03/25/2016	<u>277</u>	OBJECTIONS to re <u>211</u> Pretrial Conference Statement, Appendix B (Doc 211-2) by Joshua Claypole. (Piovia-Scott, Joshua) (Filed on 3/25/2016) (Entered: 03/25/2016)
03/25/2016	<u>278</u>	<b>ORDER STRIKING PROPOSED JURY INSTRUCTIONS (ECF <u>247</u> , <u>256</u> , <u>263</u> , <u>269</u> , <u>270</u> ). Signed by Judge Beth Labson Freeman on 3/25/2016. (blflc1S, COURT STAFF) (Filed on 3/25/2016) (Entered: 03/25/2016)</b>
03/28/2016	279	<b>Minute Entry for proceedings held before Magistrate Judge Nathanael M. Cousins.</b> <b>Further Settlement Conference held on 3/28/2016:</b> <b>Case fully settled; dismissal expected within 48 hours.</b> Attorneys for Plaintiffs: Joshua Piovia-Scott, Lori Rifkin. Attorneys for County of Monterey Defendants: Irven Grant, Charles McKee. Attorney for CFMG Defendants: Peter Bertling. Attorney for City of Monterey Defendants: Vincent Hurley. (FTR Time Not reported.) <i>This is a text only Minute Entry.</i> (lmh, COURT STAFF) (Date Filed: 3/28/2016) (Entered: 03/28/2016)
03/28/2016	280	<b>Minute Entry for proceedings held before Hon. Beth Labson Freeman: Further Case Management Conference held on 3/28/2016. The Court orders all dates and deadlines terminated. Parties are to file a Stipulation to Dismiss or a Status Report within 100 days (due 07/06/2016). FTR Time: 3:03 – 3:08. Plaintiff Attorney: Joshua Piovia-Scott, Lori Rifkin. Defendant Attorney: Irven Grant, Peter Bertling, Vincent Hurley. This is a text only Minute Entry (tshS, COURT STAFF)(Date Filed: 3/28/2016) (Entered: 03/29/2016)</b>

03/30/2016	<u>281</u>	NOTICE of Voluntary Dismissal of <i>Entire Action</i> by Joshua Claypole, Silvia Guersenzvaig (Attachments: # <u>1</u> Proposed Order re: Dismissal of Entire Action)(Piovia-Scott, Joshua) (Filed on 3/30/2016) (Entered: 03/30/2016)
03/30/2016	<u>282</u>	<b>***FILED IN ERROR, PLEASE SEE ECF <u>283</u> FOR CORRECT ENTRY*** ORDER RE: DISMISSAL OF ENTIRE ACTION. Signed by Judge Beth Labson Freeman on 3/30/2016. (blflc1S, COURT STAFF) (Filed on 3/30/2016) Modified on 3/30/2016 (blflc1S, COURT STAFF). Modified on 3/30/2016 (blflc1S, COURT STAFF). (Entered: 03/30/2016)</b>
03/30/2016	<u>283</u>	<b>ORDER RE: DISMISSAL OF ENTIRE ACTION (approving <u>281</u> ). Signed by Judge Beth Labson Freeman on 3/3/2016. (blflc1S, COURT STAFF) (Filed on 3/30/2016) (Entered: 03/30/2016)</b>
05/03/2016	<u>284</u>	MOTION to Relate Case <i>and Proposed Order</i> filed by Estate of Sandra Vela. (Attachments: # <u>1</u> Declaration of Lori Rifkin in Support of Administrative Motion to Consider Whether Cases Should Be Related)(Rifkin, Lori) (Filed on 5/3/2016) (Entered: 05/03/2016)
05/12/2016	<u>285</u>	<b>ORDER RELATING CASE. Signed by Judge Beth Labson Freeman on 5/12/2016. (blflc1S, COURT STAFF) (Filed on 5/12/2016) (Entered: 05/12/2016)</b>
07/06/2016	<u>286</u>	STATUS REPORT <i>re Settlement</i> by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 7/6/2016) (Entered: 07/06/2016)
07/06/2016	<u>287</u>	STATUS REPORT by City of Monterey, Philip Penko. (Thompson, Ryan) (Filed on 7/6/2016) (Entered: 07/06/2016)
07/08/2016	<u>288</u>	<b>ORDER SETTING DEADLINE FOR FURTHER STATUS REPORTS. Status Reports due by 7/21/2016. (blflc1S, COURT STAFF) (Filed on 7/8/2016) (Entered: 07/08/2016)</b>
07/21/2016	<u>289</u>	STATUS REPORT <i>re Settlement</i> by Joshua Claypole, Silvia Guersenzvaig. (Tajsar, Mohammad) (Filed on 7/21/2016) (Entered: 07/21/2016)
07/21/2016	<u>290</u>	STATUS REPORT <i>re Settlement</i> by City of Monterey, Philip Penko. (Thompson, Ryan) (Filed on 7/21/2016) (Entered: 07/21/2016)