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20 JANE DOE

21 **UNITED STATES DISTRICT COURT**
22 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
23 **SAN FRANCISCO DIVISION**

24 SUSAN HARMAN, NANCY MANCIAS, and
25 JANE DOE,

26 Plaintiffs,

27 v.

28 GREGORY J. AHERN, Alameda County Sheriff,

Defendant.

Civil Case No.: 3:14-cv-03051-MEJ

JOINT STATUS REPORT

1 **I. Introduction**

2 After agreeing to a settlement in principle at a May 8, 2015 court-ordered settlement conference,
3 the parties stipulated to suspend case deadlines so that a final settlement could be reached. Dkt. No. 32.
4 The Court approved the stipulation and ordered that case deadlines be suspended. Dkt. No. 33. The
5 parties submit this Joint Status Report pursuant to the Court's August 17, 2015 order. Dkt. No. 42.

6 **II. Plaintiff's Position**

7 Since the Court-ordered settlement conference, the parties have reached near-final agreement on
8 all aspects of the settlement, except one. The settlement agreement requires Corizon and Defendant "to
9 confer with Plaintiffs' representatives to attempt to resolve other concerns Plaintiffs identified during the
10 course of this Lawsuit." Accordingly, Corizon and Defendant agreed "to have appropriate
11 representatives meet in person with Plaintiffs' representatives to confer by August 31, 2015, subject to a
12 good faith attempt to confer about the representatives' availability." The agreement clearly states that
13 "[t]he appropriate representatives must include individuals who together have authority to reach
14 agreements in principle on behalf of Corizon and Defendant." Adding further clarity as to which
15 individuals would have such authority, Defendant included the following sentence in the agreement: "It
16 is anticipated that appropriate representatives would include: (a) Corizon Women's Health Director
17 Tori Garcia, RN, MSN, WHNP-BC or Regional Medical Director Glenda Newell, M.D., (b) defense
18 counsel, and (c) ACSO Lt. Michael Malloy or Commander Carla Kennedy."

19 At the present moment, settlement discussions have stalled because Defendant has not confirmed
20 that an individual with decision-making authority for Defendant will attend the meeting required by the
21 agreement. Plaintiffs and Defendant have been exchanging proposed dates for the meeting (including,
22 most recently, September 28 or October 1, 2015), but Defendant's proposed list of attendees includes
23 only Defendant's counsel and Tori Garcia, and does not include anyone from the Alameda County
24 Sheriff's Office. On August 21, Plaintiffs asked Defendant to confirm that an individual with decision-
25 making authority for Defendant would be at the meeting, but Defendant has not responded. As soon as
26 Defendant confirms that the appropriate persons will be at the meeting, Plaintiffs stand ready to confirm
27 the meeting date and finalize the settlement agreement between the parties.
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III. Defendant’s Position

The parties are finalizing the scheduling of the meeting envisioned by the settlement agreement. The appropriate ACSO and care provider representatives will be present. Defendant anticipates the parties will file a dismissal within 45 days.

September 3, 2015

COVINGTON & BURLING LLP

By: /s/ Christine Saunders Haskett
Christine Saunders Haskett

ACLU Foundation of Northern California, Inc.

By: /s/ Elizabeth O. Gill
Elizabeth O. Gill

Attorneys for Plaintiffs
SUSAN HARMAN, NANCY MANCIAS, and
JANE DOE

September 3, 2015

LAW OFFICES OF NANCY E. HUDGINS

By: /s/ Matthew M. Grigg
Matthew M. Grigg

Attorneys for Defendant

ATTESTATION

I, Christine Saunders Haskett, am the ECF user whose User ID and Password are being used to file the **JOINT STATUS REPORT**. In compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of this document has been obtained from signatories Elizabeth O. Gill and Matthew M. Grigg.

DATED: September 3, 2015

COVINGTON & BURLING LLP

By: /s/ Christine Saunders Haskett
Christine Saunders Haskett

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