

ACCO,(SKx),CLOSED,DISCOVERY,MJDAP_OUT

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:16-cv-04818-R-SK**

Rosario Maciel Avitia et al v. United States Immigration and
Customs Enforcement et al
Assigned to: Judge Manuel L. Real
Referred to: Magistrate Judge Steve Kim
Cause: 42:12101 Americans With Disabilities Act

Date Filed: 06/30/2016
Date Terminated: 02/17/2017
Jury Demand: Both
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: U.S. Government Defendant

Plaintiff

Rosario Maciel Avitia

represented by **Pablo Alejandro Almazan**
Almazan Finneman
445 South Figueroa Street, 31st Floor
Los Angeles, CA 90071
310-280-6767
Fax: 424-279-9945
Email: pablo.almazan@alfilaw.com
ATTORNEY TO BE NOTICED

Trevor J Finneman
Almazan Finneman
445 S. Figueroa Street
31st Floor
Los Angeles, CA 90071
310-280-6767
Fax: 424-279-9945
Email: trevor.finneman@alfilaw.com
ATTORNEY TO BE NOTICED

Plaintiff

**Greater Los Angeles Agency on
Deafness, Inc.**

represented by **Pablo Alejandro Almazan**
(See above for address)
ATTORNEY TO BE NOTICED

Trevor J Finneman
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**United States Immigration and
Customs Enforcement**

represented by **Daniel E Bensing**
US Department of Justice
Federal Programs Branch Civil Division
20 Massachusetts Avenue NW Room 6114
Washington, DC 20001
202-305-0693
Fax: 202-616-8460
Email: Daniel.Bensing@USDOJ.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Chung Hae Han
AUSA – Office of U S Attorney
Civil Division
300 North Los Angeles Street Suite 7516
Los Angeles, CA 90012
213-894-2083

Fax: 213-894-7819
 Email: chung.han@usdoj.gov
 ATTORNEY TO BE NOTICED

Defendant**City of Santa Ana**

represented by **Tamara Bogosian**
 Santa Ana – City Attorney's Office
 20 Civic Center Plaza 7th Floor
 Santa Ana, CA 92701
 714-647-5201
 Fax: 714- 647-6515
 Email: TBogosian@santa-ana.org
 ATTORNEY TO BE NOTICED

Defendant**Does***1-10 inclusive***Mediator (ADR Panel)****Phyllis Cheng**

represented by **Phyllis Wei-Erh Cheng**
 Phyllis Cheng
 Attorney at Law
 PO Box 4651
 Valley Village, CA 91617
 818-860-2811
 Email: phyllischeng@mediate.work
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/30/2016	<u>1</u>	COMPLAINT Receipt No: 0973-18115899 – Fee: \$400, filed by Plaintiffs Rosario Maciel Avitia, Greater Los Angeles Agency on Deafness, Inc.. (Attorney Trevor J Finneman added to party Greater Los Angeles Agency on Deafness, Inc.(pty:pla), Attorney Trevor J Finneman added to party Rosario Maciel Avitia(pty:pla))(Finneman, Trevor) (Entered: 06/30/2016)
06/30/2016	<u>2</u>	CIVIL COVER SHEET filed by Plaintiffs Greater Los Angeles Agency on Deafness, Inc., Rosario Maciel Avitia. (Finneman, Trevor) (Entered: 06/30/2016)
06/30/2016	<u>3</u>	NOTICE of Interested Parties filed by Plaintiffs All Plaintiffs, (Finneman, Trevor) (Entered: 06/30/2016)
06/30/2016	<u>4</u>	Request for Clerk to Issue Summons on Complaint (Attorney Civil Case Opening), <u>1</u> filed by Plaintiffs Greater Los Angeles Agency on Deafness, Inc., Rosario Maciel Avitia. (Finneman, Trevor) (Entered: 06/30/2016)
07/01/2016	<u>5</u>	NOTICE TO COUNSEL re Magistrate Judge Direct Assignment Program. This case has been randomly assigned to Magistrate Judge John E. McDermott. (Attachments: # <u>1</u> CV-11C) (esa) (Entered: 07/01/2016)
07/01/2016	<u>6</u>	21/60 DAY Summons issued re Complaint <u>1</u> as to defendants City of Santa Ana, United States Immigration and Customs Enforcement. (esa) (Entered: 07/01/2016)
07/12/2016	<u>7</u>	REMINDER NOTICE re Magistrate Judge Direct Assignment Program. Each party must file form CV-11C within the consent deadlines pursuant to L.R. 73-2. Additionally, the parties are directed to L.R. 73-2.2 Proof of Service. In any case in which only a magistrate judge is initially assigned, plaintiff must file a proof of service within 10 days of service of the summons and complaint as to each defendant. [See Notice for further details.] (san) (Entered: 07/12/2016)
07/20/2016	<u>8</u>	PROOF OF SERVICE Executed by Plaintiff Rosario Maciel Avitia, Greater Los Angeles Agency on Deafness, Inc., upon Defendant City of Santa Ana served on 7/19/2016, answer due 8/9/2016. Service of the Summons and Complaint were executed upon Rose Trujillo, Senior Deputy Clerk in compliance with Federal Rules of

		Civil Procedure by personal service.Original Summons NOT returned. (Finneman, Trevor) (Entered: 07/20/2016)
07/21/2016	<u>9</u>	PROOF OF SERVICE Executed by Plaintiff Rosario Maciel Avitia, Greater Los Angeles Agency on Deafness, Inc., upon Defendant United States Immigration and Customs Enforcement served on 7/21/2016, answer due 9/19/2016. Service of the Summons and Complaint were executed upon the United States Attorneys Office by delivering a copy to Civil Process Clerk via Certified Mail. Executed upon the Attorney Generals Office of the United States by delivering a copy to Loretta Lynch, Attorney General, via Certified Mail. Executed upon the officer agency or corporation by delivering a copy to Michael Lieu, Legal Assistant/Front Desk. Service was executed in compliance with Federal Rules of Civil Procedure. Due diligence declaration NOT attached. Registered or certified mail return receipt attached. Original Summons NOT returned. (Finneman, Trevor) (Entered: 07/21/2016)
08/09/2016	<u>10</u>	ANSWERJURY DEMAND. filed by Defendant City of Santa Ana.(Attorney Tamara Bogosian added to party City of Santa Ana(pty:dft))(Bogosian, Tamara) (Entered: 08/09/2016)
08/09/2016	<u>11</u>	CERTIFICATE of Interested Parties filed by Defendant City of Santa Ana, identifying City of Santa Ana. (Bogosian, Tamara) (Entered: 08/09/2016)
08/09/2016	<u>12</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Tamara Bogosian counsel for Defendant City of Santa Ana. Adding Tamara Bogosian as counsel of record for City of Santa Ana for the reason indicated in the G-123 Notice. Filed by Defendant City of Santa Ana. (Bogosian, Tamara) (Entered: 08/09/2016)
09/08/2016	<u>13</u>	STIPULATION Extending Time to Answer the complaint as to United States Immigration and Customs Enforcement answer now due 10/19/2016, re Complaint (Attorney Civil Case Opening), <u>1</u> filed by Defendant United States Immigration and Customs Enforcement.(Attorney Chung Hae Han added to party United States Immigration and Customs Enforcement(pty:dft))(Han, Chung) (Entered: 09/08/2016)
09/09/2016	<u>14</u>	NOTICE OF REASSIGNMENT of MJDAP case from Magistrate Judge John E. McDermott to Judge Manuel L. Real for all further proceedings. Any discovery matters that may be referred to a Magistrate Judge are assigned to U.S. Magistrate Judge Steve Kim. The case number will now reflect the initials of the transferee Judges 2:16-cv-04818 R(SKx). (rn) (Entered: 09/09/2016)
09/22/2016	<u>15</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Daniel E Bensing counsel for Defendant United States Immigration and Customs Enforcement. Adding Daniel Bensing as counsel of record for U.S. Immigration and Customs Enforcement for the reason indicated in the G-123 Notice. Filed by Defendant U.S. Immigration and Customs Enforcement. (Attorney Daniel E Bensing added to party United States Immigration and Customs Enforcement(pty:dft))(Bensing, Daniel) (Entered: 09/22/2016)
10/19/2016	<u>16</u>	ANSWER to Complaint (Attorney Civil Case Opening), <u>1</u> filed by Federal Defendant United States Immigration and Customs Enforcement.(Bensing, Daniel) (Entered: 10/19/2016)
10/21/2016	<u>17</u>	ORDER RE: NOTICE TO COUNSEL upon filing of the complaint by Judge Manuel L. Real. READ CAREFULLY – FAILURE TO COMPLY MAY LEAD TO SANCTIONS. SEE ORDER FOR DETAILS. (clee) (Entered: 10/21/2016)
10/21/2016	<u>18</u>	SCHEDULING NOTICE RE: DUE DATE OF EARLY MEETING REPORT/JOINT RULE 26(f) REPORT by Judge Manuel L. Real. An Answer has been filed in this matter. Pursuant to this Court's Order Re: Notice to Counsel, a Joint Rule 26(f) Report/Early Meeting Report is due on or before 12/05/2016. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (clee) TEXT ONLY ENTRY (Entered: 10/21/2016)
10/24/2016	<u>19</u>	PROOF OF SERVICE filed by Plaintiffs Greater Los Angeles Agency on Deafness, Inc., Rosario Maciel Avitia, re Initial Order upon Filing of Complaint – form only <u>17</u> served on 10/24/2016. (Attachments: # <u>1</u> Exhibit Order Re: Notice to Counsel)(Almazan, Pablo) (Entered: 10/24/2016)

11/23/2016	<u>20</u>	Notice to Parties: ADA Disability Access Litigation. (cch) (Entered: 11/23/2016)
11/29/2016	<u>21</u>	PROOF OF SERVICE filed by Plaintiff Greater Los Angeles Agency on Deafness, Inc., Rosario Maciel Avitia, re Notice to Parties ADA Disability Access Litigation (ADR-20) <u>20</u> served on November 28, 2016. (Finneman, Trevor) (Entered: 11/29/2016)
12/05/2016	<u>22</u>	JOINT REPORT Rule 26(f) Discovery Plan ; estimated length of trial 5-7 days, filed by Plaintiffs Greater Los Angeles Agency on Deafness, Inc., Rosario Maciel Avitia.. (Finneman, Trevor) (Entered: 12/05/2016)
12/05/2016	<u>23</u>	APPLICATION to Stay Case and Early Mediation re ADA Disability Access Litigation, filed by Defendant City of Santa Ana. Application set for hearing on 12/19/2016 at 10:00 AM before Judge Manuel L. Real. (Attachments: # <u>1</u> Proposed Order Granting Application for Stay and Early Mediation) (Bogosian, Tamara) (Entered: 12/05/2016)
12/12/2016	<u>24</u>	ADA DISABILITY ACCESS LITIGATION: ORDER GRANTING APPLICATION FOR STAY AND EARLY MEDIATION by Judge Manuel L. Real: Granting <u>23</u> APPLICATION to Stay Case re Early Mediation ADA Disability Access Litigation. The ADR proceeding is to be completed no later than 2/20/2017. (gk) (Entered: 12/14/2016)
12/28/2016	<u>25</u>	STATEMENT of Case filed by Plaintiffs Greater Los Angeles Agency on Deafness, Inc., Rosario Maciel Avitia (Finneman, Trevor) (Entered: 12/28/2016)
01/11/2017	<u>26</u>	NOTICE OF ASSIGNMENT of Panel Mediator. Mediator (ADR Panel) Phyllis Cheng has been assigned to serve as Panel Mediator. (mb) (Entered: 01/11/2017)
01/25/2017	<u>27</u>	NOTICE OF MEDIATION DATE filed. Mediation set for February 16, 2017.(Cheng, Phyllis) (Entered: 01/25/2017)
01/25/2017	<u>28</u>	NOTICE OF MEDIATION DATE filed. Mediation set for February 16, 2017.(Cheng, Phyllis) (Entered: 01/25/2017)
02/08/2017	<u>29</u>	NOTICE TO PARTIES by District Judge Manuel L. Real. Effective February 13, 2017, Judge Real will be located at the Roybal Federal Building and U.S. Courthouse, COURTROOM 880 on the 8th floor, located at 255 East Temple Street, Los Angeles, California 90012. All Court appearances shall be made in Courtroom 880 of the Roybal Federal Building and U.S. Courthouse. All mandatory chambers copies shall be placed in the courtesy copy in-box outside of and adjacent to the courtroom, or mailed to the Court via overnight mail within 12 court business hours of the time the document was e-filed. The location for filing civil documents in paper format exempted from electronic filing and for viewing case files and other records services remains at the United States Courthouse, 312 North Spring Street, Room G-8, Los Angeles, California 90012. The location for filing criminal documents in paper format exempted from electronic filing remains at Edward R. Roybal Federal Building and U.S. Courthouse, 255 East Temple Street, Room 178, Los Angeles, California 90012. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (rrp) TEXT ONLY ENTRY (Entered: 02/08/2017)
02/16/2017	<u>30</u>	MEDIATION REPORT Filed by Mediator (ADR Panel) Phyllis Cheng: Mediation held on February 16, 2017 and the case has been completely settled. With the filing of this Report, the parties are advised that they must notify the trial judges deputy courtroom clerk of the fact of settlement and to promptly file documents regarding the final disposition of the case.(Cheng, Phyllis) (Entered: 02/16/2017)
02/17/2017	<u>32</u>	ORDER OF DISMISSAL by Judge Manuel L. Real: THE COURT having been advised that the action has been settled <u>31</u> : IT IS THEREFORE ORDERED that this action is hereby dismissed without costs and without prejudice to the right, upon good cause shown within 60 days to reopen the action if the settlement is not consummated. IT IS FURTHER ORDERED that all dates set in this action are hereby vacated. The Court reserves its jurisdiction for the purpose of enforcing the settlement. (Case Terminated. Made JS-6.) (gk) (Entered: 02/21/2017)
02/20/2017	<u>31</u>	NOTICE of Settlement (<i>Tentative</i>) filed by Plaintiff Greater Los Angeles Agency on Deafness, Inc., Rosario Maciel Avitia. (Attachments: # <u>1</u> Proposed Order re Notice of Tentative Settlement)(Finneman, Trevor) (Entered: 02/20/2017)

02/24/2017	<u>33</u>	ORDER EXTENDING 90 DAYS FOR PARTIES TO EXECUTE THE SETTLEMENT AGREEMENT by Judge Manuel L. Real: IT IS HEREBY ORDERED that the parties shall now have 90 days from the date of this Order to reopen the case if the settlement is not consummated. The Court reserves its jurisdiction for the purpose of enforcing the settlement (shb) (Entered: 02/24/2017)
05/19/2017	<u>34</u>	NOTICE of Voluntary Dismissal filed by Plaintiff Greater Los Angeles Agency on Deafness, Inc., Rosario Maciel Avitia. Dismissal is with prejudice. (Finneman, Trevor) (Entered: 05/19/2017)