

**U.S. District Court
California Northern District (Oakland)
CIVIL DOCKET FOR CASE #: 4:17-cv-03962-HSG**

Eidler et al v. Brookdale Senior Living, Inc. et al
Assigned to: Judge Haywood S Gilliam, Jr
Referred to: Magistrate Judge Laurel Beeler
Relate Case Case: [4:13-cv-03962-HSG](#)
Case in other court: 9th Circuit, 19-15334
Cause: 42:12101 Americans w/ Disabilities Act (ADA)

Date Filed: 07/13/2017
Jury Demand: Plaintiff
Nature of Suit: 446 American with
Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

Patricia Eidler
by and through her Guardian Ad Litem
TERMINATED: 03/09/2018

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Date Filed	#	Docket Text
07/13/2017	<u>1</u>	COMPLAINT <i>for Declaratory and Injunctive Relief and Damages</i> against Brookdale Living Communities, Inc., Brookdale Senior Living, Inc. (Filing fee \$ 400, receipt number 0971-11545459.). Filed by Hellen Carlson, Stacia Stiner, Carlson Joan, Christopher Eidler, Patricia Eidler, Mary-Catherine Jones, Kelly Clapper. (Attachments: # <u>1</u> Civil Cover Sheet)(Wallace, Guy) (Filed on 7/13/2017) (Entered: 07/13/2017)
07/13/2017	<u>2</u>	MOTION to Appoint Guardian ad Litem filed by Hellen Carlson, Kelly Clapper, Christopher Eidler, Patricia Eidler, Carlson Joan, Mary-Catherine Jones, Stacia Stiner. (Attachments: # <u>1</u> Declaration of Christopher Eidler, # <u>2</u> Declaration of Joan Carlson, # <u>3</u> Declaration of Kelly Clapper)(Wallace, Guy) (Filed on 7/13/2017) (Entered: 07/13/2017)
07/14/2017	3	Case assigned to Hon. James Donato. 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 http://cand.uscourts.gov/ecf/caseopening . Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . 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. (vlk, COURT STAFF) (Filed on 7/14/2017) (Entered: 07/14/2017)
07/14/2017	<u>4</u>	Proposed Order re <u>2</u> MOTION to Appoint Guardian ad Litem by Hellen Carlson, Kelly Clapper, Christopher Eidler, Patricia Eidler, Carlson Joan, Mary-Catherine Jones, Stacia Stiner. (Wallace, Guy) (Filed on 7/14/2017) (Entered: 07/14/2017)
07/14/2017	<u>5</u>	Proposed Summons. (Wallace, Guy) (Filed on 7/14/2017) (Entered: 07/14/2017)
07/14/2017	<u>6</u>	Proposed Summons. (Wallace, Guy) (Filed on 7/14/2017) (Entered: 07/14/2017)
07/17/2017	<u>7</u>	NOTICE of Appearance by Kathryn Ann Stebner (Stebner, Kathryn) (Filed on 7/17/2017) (Entered: 07/17/2017)
07/17/2017	<u>8</u>	Initial Case Management Scheduling Order for Cases Asserting Denial of Right of Access under Americans with Disabilities Act. This case is assigned to a judge who participates in the Cameras in the Courtroom Pilot Project. See General Order 65 and http://cand.uscourts.gov/cameras (Attachments: # <u>1</u> Notice of Eligibility for Video Recording)(hdjS, COURT STAFF) (Filed on 7/17/2017) (Entered: 07/17/2017)
07/17/2017	<u>9</u>	Summons Issued as to Brookdale Living Communities, Inc. (Attachments: # <u>1</u> Summons)(hdjS, COURT STAFF) (Filed on 7/17/2017) (Entered: 07/17/2017)
07/18/2017	<u>10</u>	NOTICE of Appearance by Gay Crosthwait Grunfeld , <i>Benjamin Bien-Kahn and Christopher D. Hu</i> (Grunfeld, Gay) (Filed on 7/18/2017) (Entered: 07/18/2017)

07/19/2017	<u>11</u>	NOTICE of Appearance by Kelly Jean Knapp (Knapp, Kelly) (Filed on 7/19/2017) (Entered: 07/19/2017)
07/26/2017	<u>12</u>	SUMMONS Returned Executed by Hellen Carlson, Stacia Stiner, Carlson Joan, Christopher Eidler, Patricia Eidler, Mary-Catherine Jones, Kelly Clapper. Brookdale Senior Living, Inc. served on 7/18/2017, answer due 8/8/2017. (Colby, Sarah) (Filed on 7/26/2017) (Entered: 07/26/2017)
07/26/2017	<u>13</u>	SUMMONS Returned Executed by Hellen Carlson, Stacia Stiner, Carlson Joan, Christopher Eidler, Patricia Eidler, Mary-Catherine Jones, Kelly Clapper. Brookdale Living Communities, Inc. served on 7/18/2017, answer due 8/8/2017. (Colby, Sarah) (Filed on 7/26/2017) (Entered: 07/26/2017)
08/07/2017	<u>14</u>	NOTICE of Appearance by Matthew David Powers (Powers, Matthew) (Filed on 8/7/2017) (Entered: 08/07/2017)
08/07/2017	<u>15</u>	NOTICE of Appearance by Jeffrey A. Barker (Barker, Jeffrey) (Filed on 8/7/2017) (Entered: 08/07/2017)
08/07/2017	<u>16</u>	NOTICE of Appearance by Mallory Ann Jensen (Jensen, Mallory) (Filed on 8/7/2017) (Entered: 08/07/2017)
08/07/2017	<u>17</u>	NOTICE of Appearance by Adam P. KohSweeney (KohSweeney, Adam) (Filed on 8/7/2017) (Entered: 08/07/2017)
08/07/2017	<u>18</u>	STIPULATION re <u>1</u> Complaint, (<i>Stipulation To Extend Time For Defendants Brookdale Senior Living, Inc. And Brookdale Senior Living Communities, Inc. To Respond to Plaintiffs' Complaint</i>) filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (KohSweeney, Adam) (Filed on 8/7/2017) (Entered: 08/07/2017)
08/18/2017	<u>19</u>	STIPULATION (<i>Amended</i>) to Extend Time for Defendants Brookdale Senior Living, Inc. and Brookdale Senior Living Communities, Inc. to Respond to Plaintiffs' Complaint filed by Hellen Carlson, Kelly Clapper, Christopher Eidler, Patricia Eidler, Carlson Joan, Mary-Catherine Jones, Stacia Stiner. (Wallace, Guy) (Filed on 8/18/2017) (Entered: 08/18/2017)
08/25/2017	<u>20</u>	AMENDED COMPLAINT (<i>First Amended Complaint for Declaratory and Injunctive Relief and Damages</i>) against Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. Filed by Hellen Carlson, Stacia Stiner, Carlson Joan, Christopher Eidler, Patricia Eidler, Mary-Catherine Jones, Kelly Clapper, Lawrence Quinlan, Bonita Hager, Loresia Vallette. (Wallace, Guy) (Filed on 8/25/2017) (Entered: 08/25/2017)
08/25/2017	<u>21</u>	ADMINISTRATIVE MOTION for Appointment of Loresia Vallette as Guardian Ad Litem for Lawrence Quinlan filed by Hellen Carlson, Kelly Clapper, Christopher Eidler, Patricia Eidler, Bonita Hager, Carlson Joan, Mary-Catherine Jones, Lawrence Quinlan, Stacia Stiner, Loresia Vallette. Responses due by 8/29/2017. (Attachments: # <u>1</u> Declaration of Loresia Vallette, # <u>2</u> Proposed Order)(Wallace, Guy) (Filed on 8/25/2017) (Entered: 08/25/2017)
09/22/2017	22	ORDER GRANTING MOTIONS FOR GUARDIAN AD LITEM APPOINTMENTS. Pursuant to plaintiffs' unopposed requests, Dkt. Nos. <u>2</u> & <u>21</u>, the Court makes the following guardian ad litem appointments under Federal Rule of Civil Procedure 17(c)(2): Christopher William Eidler for plaintiff Patricia Eidler; Kelly L. Clapper for plaintiff Mary-Catherine Jones; Joan Carlson for plaintiff Helen Carlson; and Loresia Vallette for plaintiff Lawrence Quinlan. Signed by Judge James Donato on 9/22/2017. (This is a text-only entry. There is no document associated with this entry.) (jdlc2S, COURT STAFF) (Filed on 9/22/2017) (Entered: 09/22/2017)
09/28/2017	<u>23</u>	MOTION to Compel Arbitration filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. Motion Hearing set for 11/2/2017 10:00 AM in Courtroom 11, 19th Floor, San Francisco before Judge James Donato. Responses due by 10/12/2017. Replies due by 10/19/2017. (Attachments: # <u>1</u> Declaration of Shawn Cull in Support of, # <u>2</u> Declaration of Ferdinand Augustus Buot Jr. in Support of, # <u>3</u> Declaration of Shelly Halleck in Support of, # <u>4</u> Proposed Order)(Barker, Jeffrey) (Filed on 9/28/2017) (Entered: 09/28/2017)

09/28/2017	<u>24</u>	MOTION to Dismiss (<i>Notice of Motion and Motion of Defendants to Dismiss and/or Strike Portions of Plaintiffs' First Amended Complaint; Memorandum of Points and Authorities in Support thereof</i>) filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. Motion Hearing set for 11/2/2017 10:00 AM in Courtroom 11, 19th Floor, San Francisco before Judge James Donato. Responses due by 10/12/2017. Replies due by 10/19/2017. (Attachments: # <u>1</u> Proposed Order)(Barker, Jeffrey) (Filed on 9/28/2017) (Entered: 09/28/2017)
09/28/2017	<u>25</u>	MOTION to Strike (<i>Notice of Motion and Defendants' Motion to Strike Portions of First Amended Complaint; Memorandum of Points and Authorities in Support thereof</i>) filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. Motion Hearing set for 11/2/2017 10:00 AM in Courtroom 11, 19th Floor, San Francisco before Judge James Donato. Responses due by 10/12/2017. Replies due by 10/19/2017. (Attachments: # <u>1</u> Proposed Order)(Barker, Jeffrey) (Filed on 9/28/2017) (Entered: 09/28/2017)
09/28/2017	<u>26</u>	Request for Judicial Notice re <u>25</u> MOTION to Strike (<i>Notice of Motion and Defendants' Motion to Strike Portions of First Amended Complaint; Memorandum of Points and Authorities in Support thereof</i>), <u>24</u> MOTION to Dismiss (<i>Notice of Motion and Motion of Defendants to Dismiss and/or Strike Portions of Plaintiffs' First Amended Complaint; Memorandum of Points and Authorities in Support thereof</i>), <u>23</u> MOTION to Compel Arbitration filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (Attachments: # <u>1</u> Exhibit A to Request for Judicial Notice, # <u>2</u> Proposed Order)(Related document(s) <u>25</u> , <u>24</u> , <u>23</u>) (Barker, Jeffrey) (Filed on 9/28/2017) (Entered: 09/28/2017)
10/02/2017	<u>27</u>	NOTICE of Appearance by Devin Whetstone Mauney (Mauney, Devin) (Filed on 10/2/2017) (Entered: 10/02/2017)
10/06/2017	<u>28</u>	STIPULATION WITH PROPOSED ORDER re <u>25</u> MOTION to Strike (<i>Notice of Motion and Defendants' Motion to Strike Portions of First Amended Complaint; Memorandum of Points and Authorities in Support thereof</i>), <u>24</u> MOTION to Dismiss (<i>Notice of Motion and Motion of Defendants to Dismiss and/or Strike Portions of Plaintiffs' First Amended Complaint; Memorandum of Points and Authorities in Support thereof</i>), <u>23</u> MOTION to Compel Arbitration (<i>Stipulation and [Proposed] Order Extending Time For Plaintiffs To Respond To Defendants' Motions And Setting Additional Dates</i>) filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (Attachments: # <u>1</u> Declaration of Adam P. Kohsweeney In Support)(KohSweeney, Adam) (Filed on 10/6/2017) (Entered: 10/06/2017)
10/12/2017	<u>29</u>	Order granting <u>28</u> stipulation to extend briefing schedule and continue hearing. For defendants' <u>23</u> motion to compel, <u>24</u> motion to dismiss and <u>25</u> motion to strike: Responses due by 11/9/2017. Replies due by 12/7/2017. Motion Hearing set for 12/21/2017 at 10:00 AM in Courtroom 11, 19th Floor, San Francisco. Signed by Judge James Donato on 10/12/2017. (jdlc2S, COURT STAFF) (Filed on 10/12/2017) (Entered: 10/12/2017)
10/17/2017	<u>30</u>	Declaration of Jeffrey A. Barker in Support of <u>23</u> MOTION to Compel Arbitration (<i>Supplemental Declaration of Jeffrey A. Barker in Support of Defendants Brookdale Senior Living Inc.'s and Brookdale Senior Living Communities, Inc.'s Motion to Compel Arbitration</i>) filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (Related document(s) <u>23</u>) (Barker, Jeffrey) (Filed on 10/17/2017) (Entered: 10/17/2017)
11/09/2017	<u>31</u>	OPPOSITION/RESPONSE (re <u>23</u> MOTION to Compel Arbitration) filed by Hellen Carlson, Kelly Clapper, Christopher Eidler, Patricia Eidler, Bonita Hager, Carlson Joan, Mary-Catherine Jones, Lawrence Quinlan, Stacia Stiner, Loresia Vallette. (Attachments: # <u>1</u> Declaration Gay Grunfeld, # <u>2</u> Declaration Heather Fisher, # <u>3</u> Declaration Michele Lytle, # <u>4</u> Declaration Loresia Vallette, # <u>5</u> Proposed Order)(Grunfeld, Gay) (Filed on 11/9/2017) (Entered: 11/09/2017)
11/09/2017	<u>32</u>	OPPOSITION/RESPONSE (re <u>25</u> MOTION to Strike (<i>Notice of Motion and Defendants' Motion to Strike Portions of First Amended Complaint; Memorandum of Points and Authorities in Support thereof</i>)) filed by Hellen Carlson, Kelly Clapper, Christopher Eidler, Patricia Eidler, Bonita Hager, Carlson Joan, Mary-Catherine Jones, Lawrence Quinlan, Stacia Stiner, Loresia Vallette. (Attachments: # <u>1</u> Proposed Order)(Wallace, Guy) (Filed on 11/9/2017) (Entered: 11/09/2017)

11/09/2017	<u>33</u>	OPPOSITION/RESPONSE (re <u>24</u> MOTION to Dismiss (<i>Notice of Motion and Motion of Defendants to Dismiss and/or Strike Portions of Plaintiffs' First Amended Complaint; Memorandum of Points and Authorities in Support thereof</i>)) filed by Hellen Carlson, Kelly Clapper, Christopher Eidler, Patricia Eidler, Bonita Hager, Carlson Joan, Mary-Catherine Jones, Lawrence Quinlan, Stacia Stiner, Loesia Vallette. (Attachments: # <u>1</u> Proposed Order)(Wallace, Guy) (Filed on 11/9/2017) (Entered: 11/09/2017)
12/07/2017	<u>34</u>	REPLY (re <u>23</u> MOTION to Compel Arbitration) filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (Attachments: # <u>1</u> Supplemental Declaration of Rebecca McIntyre)(Barker, Jeffrey) (Filed on 12/7/2017) (Entered: 12/07/2017)
12/07/2017	<u>35</u>	REPLY (re <u>24</u> MOTION to Dismiss (<i>Notice of Motion and Motion of Defendants to Dismiss and/or Strike Portions of Plaintiffs' First Amended Complaint; Memorandum of Points and Authorities in Support thereof</i>)) filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (Barker, Jeffrey) (Filed on 12/7/2017) (Entered: 12/07/2017)
12/07/2017	<u>36</u>	REPLY (re <u>25</u> MOTION to Strike (<i>Notice of Motion and Defendants' Motion to Strike Portions of First Amended Complaint; Memorandum of Points and Authorities in Support thereof</i>)) filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (Barker, Jeffrey) (Filed on 12/7/2017) (Entered: 12/07/2017)
12/15/2017	<u>37</u>	ORDER. In light of the Court's trial schedule, the Court continues the hearing on defendants' <u>23</u> Motion to Compel Arbitration, <u>24</u> Motion to Dismiss, and <u>25</u> Motion to Strike to March 22, 2018 at 10:00 a.m. in Courtroom 11, 19th Floor, San Francisco. Signed by Judge James Donato on 12/15/2017. (This is a text-only entry generated by the court. There is no document associated with this entry.) (jdlc2S, COURT STAFF) (Filed on 12/15/2017) (Entered: 12/15/2017)
02/15/2018	<u>38</u>	MOTION for Leave to File <i>Second Amended Complaint</i> filed by Hellen Carlson, Kelly Clapper, Christopher Eidler, Patricia Eidler, Bonita Hager, Carlson Joan, Mary-Catherine Jones, Lawrence Quinlan, Stacia Stiner, Loesia Vallette. (Attachments: # <u>1</u> Declaration Gay Crosthwait Grunfeld, # <u>2</u> Proposed Order)(Grunfeld, Gay) (Filed on 2/15/2018) (Entered: 02/15/2018)
02/15/2018		Set/Reset Deadlines as to <u>38</u> MOTION for Leave to File <i>Second Amended Complaint</i> . Motion Hearing set for 3/22/2018 10:00 AM in San Francisco, Courtroom 11, 19th Floor before Judge James Donato. (IrcS, COURT STAFF) (Filed on 2/15/2018) (Entered: 02/20/2018)
02/22/2018	<u>39</u>	NOTICE of Voluntary Dismissal <i>Without Prejudice of Claims of Plaintiff Patricia Eidler</i> by Christopher Eidler, Patricia Eidler (Mauney, Devin) (Filed on 2/22/2018) (Entered: 02/22/2018)
02/22/2018	<u>40</u>	NOTICE of Voluntary Dismissal <i>Without Prejudice of Claims of Plaintiff Bonita Hager</i> by Bonita Hager (Mauney, Devin) (Filed on 2/22/2018) (Entered: 02/22/2018)
02/22/2018	<u>41</u>	NOTICE of Voluntary Dismissal <i>Without Prejudice of Claims of Plaintiff Mary-Catherine Jones</i> by Kelly Clapper, Mary-Catherine Jones (Mauney, Devin) (Filed on 2/22/2018) (Entered: 02/22/2018)
02/26/2018	<u>42</u>	NOTICE of Change In Counsel by Gay Crosthwait Grunfeld (Grunfeld, Gay) (Filed on 2/26/2018) (Entered: 02/26/2018)
03/01/2018	<u>43</u>	OPPOSITION/RESPONSE (re <u>38</u> MOTION for Leave to File <i>Second Amended Complaint</i>) filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (Attachments: # <u>1</u> Declaration of Jeffrey A. Barker in Support of)(Barker, Jeffrey) (Filed on 3/1/2018) (Entered: 03/01/2018)
03/02/2018	<u>44</u>	CLERK'S NOTICE Continuing Motion Hearing. (<i>This is a text-only entry generated by the court. There is no document associated with this entry.</i>), Set/Reset Deadlines as to <u>24</u> MOTION to Dismiss (<i>Notice of Motion and Motion of Defendants to Dismiss and/or Strike Portions of Plaintiffs' First Amended Complaint; Memorandum of Points and Authorities in Support thereof</i>), <u>38</u> MOTION for Leave to File <i>Second Amended Complaint</i> , <u>23</u> MOTION to Compel Arbitration, <u>25</u> MOTION to Strike (<i>Notice of Motion and Defendants' Motion to Strike Portions of First Amended Complaint;</i>

		<i>Memorandum of Points and Authorities in Support thereof</i>). Motion Hearing set for 3/15/2018 10:00 AM in San Francisco, Courtroom 11, 19th Floor before Judge James Donato. (lrcS, COURT STAFF) (Filed on 3/2/2018) (Entered: 03/02/2018)
03/06/2018	<u>45</u>	NOTICE of Change In Counsel by Kathryn Ann Stebner (Stebner, Kathryn) (Filed on 3/6/2018) (Entered: 03/06/2018)
03/08/2018	<u>46</u>	REPLY (re <u>38</u> MOTION for Leave to File <i>Second Amended Complaint</i>) filed byHellen Carlson, Kelly Clapper, Christopher Eidler, Patricia Eidler, Bonita Hager, Carlson Joan, Mary-Catherine Jones, Lawrence Quinlan, Stacia Stiner, Loesia Vallette. (Grunfeld, Gay) (Filed on 3/8/2018) (Entered: 03/08/2018)
03/16/2018	<u>47</u>	Minute Entry for proceedings held before Judge James Donato: Motion Hearing held on 3/15/2018. Total Time in Court: 7 minutes. Court Reporter: Pamela Batalo. Plaintiffs' amended pleading due by 3/29/2018. (jdlc2S, COURT STAFF) (Date Filed: 3/16/2018) (Entered: 03/16/2018)
03/16/2018	<u>48</u>	TRANSCRIPT ORDER for proceedings held on 03/15/2018 before Judge James Donato by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc., for Court Reporter Pam Batalo. (Jensen, Mallory) (Filed on 3/16/2018) (Entered: 03/16/2018)
03/16/2018	<u>49</u>	Judicial Referral for Purpose of Determining Relationship of Cases re 13-3962-HSG. Signed by Judge James Donato on 3/16/2018. (jdlc2S, COURT STAFF) (Filed on 3/16/2018) (Entered: 03/16/2018)
03/29/2018	<u>50</u>	Transcript of Proceedings held on 03/15/18, before Judge Donato. Court Reporter Pamela A. Batalo, telephone number pamel_a_batalo@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>48</u> Transcript Order) Redaction Request due 4/19/2018. Redacted Transcript Deadline set for 4/30/2018. Release of Transcript Restriction set for 6/27/2018. (Related documents(s) <u>48</u>) (Batalo, Pam) (Filed on 3/29/2018) (Entered: 03/29/2018)
03/29/2018	<u>51</u>	TRANSCRIPT ORDER for proceedings held on 03/15/2018 before Judge James Donato by Hellen Carlson, Carlson Joan, Lawrence Quinlan, Stacia Stiner, Loesia Vallette, for Court Reporter Pam Batalo. (Grunfeld, Gay) (Filed on 3/29/2018) (Entered: 03/29/2018)
03/29/2018	<u>52</u>	AMENDED COMPLAINT <i>Second Amended Complaint for Declaratory and Injunctive Relief and Damages</i> against Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. Filed byCarlson Joan, Hellen Carlson, Stacia Stiner, Lawrence Quinlan, Loesia Vallette, Heather Fisher, Patricia Lindstrom, Arthur Lindstrom, Ralph Schmidt, Edward Boris, Michele Lytle, Bernie Jestrabek-Hart. (Attachments: # <u>1</u> Exhibit A - Declaration of Patricia Lindstrom Pursuant to CCP Section 377.32)(Colby, Sarah) (Filed on 3/29/2018) (Entered: 03/29/2018)
03/29/2018	<u>53</u>	MOTION to Appoint Guardian ad Litem <i>for Edward Boris and Ralph Schmidt</i> filed by Edward Boris, Hellen Carlson, Heather Fisher, Bernie Jestrabek-Hart, Carlson Joan, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette. (Attachments: # <u>1</u> Declaration Heather Fisher, # <u>2</u> Declaration Michele Lytle, # <u>3</u> Proposed Order)(Grunfeld, Gay) (Filed on 3/29/2018) (Entered: 03/29/2018)
04/09/2018	<u>54</u>	STIPULATION <i>Extending Time to Respond to Plaintiffs' Second Amended Complaint re 52 Amended Complaint</i> filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (KohSweeney, Adam) (Filed on 4/9/2018) (Entered: 04/09/2018)
04/16/2018	<u>55</u>	ORDER RELATING CASE to 13-cv-3962-HSG. Signed by Judge Haywood S. Gilliam, Jr. on 4/16/2018. (ndrS, COURT STAFF) (Filed on 4/16/2018) (Entered: 04/16/2018)
04/16/2018	<u>56</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Haywood S Gilliam, Jr for all further proceedings. Judge James Donato no longer assigned to the case. Signed by Executive Committee on 4/16/2018. (jmlS, COURT STAFF) (Filed on

		4/16/2018) (Entered: 04/16/2018)
04/17/2018	<u>57</u>	ADMINISTRATIVE MOTION Relief from Stipulation and to Compel Rule 26 Conference filed by Edward Boris, Hellen Carlson, Heather Fisher, Bernie Jestrabek-Hart, Carlson Joan, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette. Responses due by 4/23/2018. (Attachments: # <u>1</u> Declaration Gay Grunfeld in Support, # <u>2</u> Proposed Order)(Grunfeld, Gay) (Filed on 4/17/2018) (Entered: 04/17/2018)
04/18/2018		Electronic filing error. Re: <u>57</u> ADMINISTRATIVE MOTION Relief from Stipulation and to Compel Rule 26 Conference filed by Patricia Lindstrom, Edward Boris, Michele Lytle, Loesia Vallette, Hellen Carlson, Stacia Stiner, Bernie Jestrabek-Hart, Carlson Joan, Arthur Lindstrom, Ralph Schmidt, Lawrence Quinlan, Heather Fisher. REMINDER TO COUNSEL: In the future, please be sure that the case number is correctly reflected on your documents as 4:17-cv-03962-HSG. (jjbS, COURT STAFF) (Filed on 4/18/2018) (Entered: 04/18/2018)
04/19/2018	58	ORDER SETTING CASE MANAGEMENT CONFERENCE. Further Case Management Conference set for 4/24/2018 02:00 PM in Oakland, Courtroom 2, 4th Floor. (This is a text-only entry generated by the court. There is no document associated with this entry.) (hsglc2S, COURT STAFF) (Filed on 4/19/2018) (Entered: 04/19/2018)
04/19/2018	<u>59</u>	Renewed MOTION to Compel <i>Arbitration</i> filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. Motion Hearing set for 8/9/2018 02:00 PM in Oakland, Courtroom 2, 4th Floor before Judge Haywood S Gilliam Jr.. Responses due by 5/3/2018. Replies due by 5/10/2018. (Attachments: # <u>1</u> Proposed Order)(Barker, Jeffrey) (Filed on 4/19/2018) Modified on 4/20/2018 (cpS, COURT STAFF). (Entered: 04/19/2018)
04/19/2018	<u>60</u>	MOTION to Dismiss <i>and/or Strike Portions of Plaintiffs' Second Amended Complaint; Memorandum of Points and Authorities in Support Thereof</i> filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. Motion Hearing set for 8/9/2018 02:00 PM in Oakland, Courtroom 2, 4th Floor before Judge Haywood S Gilliam Jr.. Responses due by 5/3/2018. Replies due by 5/10/2018. (Attachments: # <u>1</u> Proposed Order)(Barker, Jeffrey) (Filed on 4/19/2018) Modified on 4/20/2018 (cpS, COURT STAFF). (Entered: 04/19/2018)
04/19/2018	<u>61</u>	MOTION to Strike <i>Portions of Second Amended Complaint; Memorandum of Points and Authorities in Support Thereof</i> filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. Motion Hearing set for 8/9/2018 02:00 PM in Oakland, Courtroom 2, 4th Floor before Judge Haywood S Gilliam Jr.. Responses due by 5/3/2018. Replies due by 5/10/2018. (Attachments: # <u>1</u> Proposed Order)(Barker, Jeffrey) (Filed on 4/19/2018) Modified on 4/20/2018 (cpS, COURT STAFF). (Entered: 04/19/2018)
04/20/2018		Per Order dkt. # 58 . Set/Reset Hearing. Further Case Management Conference set for 4/24/2018 02:00 PM in Oakland, Courtroom 2, 4th Floor. (cpS, COURT STAFF) (Filed on 4/20/2018) (Entered: 04/20/2018)
04/23/2018	<u>62</u>	OPPOSITION/RESPONSE (re <u>57</u> ADMINISTRATIVE MOTION Relief from Stipulation and to Compel Rule 26 Conference) filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (Attachments: # <u>1</u> Proposed Order)(Barker, Jeffrey) (Filed on 4/23/2018) (Entered: 04/23/2018)
04/24/2018	63	Minute Entry for proceedings held before Judge Haywood S. Gilliam, Jr.: Further Case Management Conference held on 4/24/2018. FTR Time: 2:06-2:16 (Diane Skillman assigned transcriber). Total Time in Court: 10 Minutes. Plaintiff Attorney: Sarah Colby; Guy Wallace; and Gay Grunfeld. Defendant Attorney: Jeffrey Barker; Mallory Jensen; and Matt Powers. Plaintiffs' administrative motion (docket no. <u>57</u>) is submitted by the parties, and DENIED by the Court. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ndrS, COURT STAFF) (Date Filed: 4/24/2018) Modified on 5/1/2018 (napS, COURT STAFF). (Entered: 04/25/2018)
04/27/2018	<u>64</u>	STIPULATION WITH PROPOSED ORDER <i>Regarding Briefing Schedule on Defendants' Motions</i> filed by Edward Boris, Hellen Carlson, Heather Fisher, Bernie

		Jestrabek–Hart, Carlson Joan, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette, Brookdale Senior Living, Inc., and Brookdale Living Communities, Inc. (Wallace, Guy) (Filed on 4/27/2018) Modified on 4/30/2018 (jjbS, COURT STAFF). (Entered: 04/27/2018)
04/27/2018	<u>65</u>	TRANSCRIPT ORDER for proceedings held on 4/24/2018 before Judge Haywood S Gilliam, Jr by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc., for Court Reporter FTR – Oakland. (Jensen, Mallory) (Filed on 4/27/2018) (Entered: 04/27/2018)
04/30/2018	<u>66</u>	ORDER by Judge Haywood S. Gilliam, Jr. Granting <u>64</u> Stipulation Regarding Briefing Schedule on Defendants' Motions. (ndrS, COURT STAFF) (Filed on 4/30/2018) (Entered: 04/30/2018)
04/30/2018		Reset Deadlines as to <u>59</u> MOTION to Compel Arbitration; <u>60</u> MOTION to Dismiss <i>and/or Strike Portions of Plaintiffs' Second Amended Complaint</i> ; and <u>61</u> MOTION to Strike <i>Portions of Second Amended Complaint</i> Pursuant to Docket No. <u>66</u> : Responses due by 5/17/2018 and Replies due by 6/7/2018. (ndrS, COURT STAFF) (Filed on 4/30/2018) (Entered: 04/30/2018)
04/30/2018		REMINDER TO COUNSEL: In the future, please be sure that the case number is correctly reflected as 4:17–cv–03962–HSG and that the Oakland Division is listed as court location. (jjbS, COURT STAFF) (Filed on 4/30/2018) (Entered: 04/30/2018)
05/07/2018	<u>67</u>	ADMINISTRATIVE MOTION to Shorten Time for Hearing re <u>61</u> MOTION to Strike <i>Portions of Second Amended Complaint</i> , <u>59</u> MOTION to Compel Arbitration, <u>60</u> MOTION to Dismiss <i>and/or Strike Portions of Plaintiffs' Second Amended Complaint</i> filed by Edward Boris, Hellen Carlson, Heather Fisher, Bernie Jestrabek–Hart, Carlson Joan, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette. Responses due by 5/11/2018. (Attachments: # <u>1</u> Declaration Gay Crosthwait Grunfeld in Support, # <u>2</u> Proposed Order)(Grunfeld, Gay) (Filed on 5/7/2018) (Entered: 05/07/2018)
05/08/2018	<u>68</u>	ORDER by Judge Haywood S. Gilliam, Jr. Granting <u>67</u> Administrative Motion to Shorten Time for Hearing re <u>61</u> MOTION to Strike Portions of Second Amended Complaint, <u>59</u> MOTION to Compel Arbitration, <u>60</u> MOTION to Dismiss and/or Strike Portions of Plaintiffs' Second Amended Complaint.(ndrS, COURT STAFF) (Filed on 5/8/2018) (Entered: 05/08/2018)
05/08/2018		Reset Hearings as to Docket Nos. <u>59</u> , <u>60</u> and <u>61</u> Pursuant to Docket No. <u>68</u> : Motion Hearing set for 7/12/2018 02:00 PM in Oakland, Courtroom 2, 4th Floor before Judge Haywood S. Gilliam Jr. (ndrS, COURT STAFF) (Filed on 5/8/2018) (Entered: 05/08/2018)
05/17/2018	<u>69</u>	OPPOSITION/RESPONSE (re <u>59</u> MOTION to Compel Arbitration) filed byEdward Boris, Hellen Carlson, Heather Fisher, Bernie Jestrabek–Hart, Carlson Joan, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette. (Attachments: # <u>1</u> Declaration Joan Carlson, # <u>2</u> Declaration Loresia Vallette, # <u>3</u> Appendix)(Grunfeld, Gay) (Filed on 5/17/2018) (Entered: 05/17/2018)
05/17/2018	<u>70</u>	OPPOSITION/RESPONSE (re <u>60</u> MOTION to Dismiss <i>and/or Strike Portions of Plaintiffs' Second Amended Complaint</i>) filed byEdward Boris, Hellen Carlson, Heather Fisher, Bernie Jestrabek–Hart, Carlson Joan, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette. (Colby, Sarah) (Filed on 5/17/2018) (Entered: 05/17/2018)
05/17/2018	<u>71</u>	OPPOSITION/RESPONSE (re <u>61</u> MOTION to Strike <i>Portions of Second Amended Complaint</i>) filed byEdward Boris, Hellen Carlson, Heather Fisher, Bernie Jestrabek–Hart, Carlson Joan, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette. (Wallace, Guy) (Filed on 5/17/2018) (Entered: 05/17/2018)
05/17/2018	<u>72</u>	Request for Judicial Notice filed byEdward Boris, Hellen Carlson, Heather Fisher, Bernie Jestrabek–Hart, Carlson Joan, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette. (Attachments: # <u>1</u> Proposed Order)(Wallace, Guy) (Filed on 5/17/2018) (Entered: 05/17/2018)

		05/17/2018)
05/18/2018		<u>Electronic filing error</u> . Re: <u>72</u> Request for Judicial Notice, filed by Patricia Lindstrom, Edward Boris, Michele Lytle, Loresia Vallette, Hellen Carlson, Stacia Stiner, B ernie Jestrabek–Hart, Carlson Joan, Arthur Lindstrom, Ralph Schmidt, Lawrence Quinlan, Heather Fisher. REMINDER TO COUNSEL: Please be sure that the Judge's name is reflected as Haywood S. Gilliam, Jr. on the signature line of all future proposed orders submitted. (jjbS, COURT STAFF) (Filed on 5/18/2018) (Entered: 05/18/2018)
05/31/2018	<u>73</u>	Transcript of Proceedings held on April 24, 2018, before Judge Haywood S. Gilliam Jr.. Transcriber Diane E. Skillman, telephone number 925–899–2812, Diane_Skillman@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 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>65</u> Transcript Order) Release of Transcript Restriction set for 8/29/2018. (Related documents(s) <u>65</u>) (Skillman, Diane) (Filed on 5/31/2018) (Entered: 05/31/2018)
06/06/2018	<u>74</u>	TRANSCRIPT ORDER for proceedings held on 04/24/2018 before Judge Haywood S Gilliam, Jr by Edward Boris, Hellen Carlson, Heather Fisher, Bernie Jestrabek–Hart, Carlson Joan, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette, for Court Reporter Diane Skillman. (Grunfeld, Gay) (Filed on 6/6/2018) (Entered: 06/06/2018)
06/07/2018	<u>75</u>	REPLY in Support of Renewed <u>59</u> MOTION to Compel <i>Arbitration</i> filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc. (Barker, Jeffrey) (Filed on 6/7/2018) Modified on 6/8/2018 (jjbS, COURT STAFF). (Entered: 06/07/2018)
06/07/2018	<u>76</u>	REPLY in Support of <u>60</u> MOTION to Dismiss <i>and/or Strike Portions of Plaintiffs' Second Amended Complaint</i> filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (Barker, Jeffrey) (Filed on 6/7/2018) Modified on 6/8/2018 (jjbS, COURT STAFF). (Entered: 06/07/2018)
06/07/2018	<u>77</u>	REPLY in Support of <u>61</u> MOTION to Strike <i>Portions of Second Amended Complaint</i> filed by Brookdale Living Communities, Inc., Brookdale Senior Living, Inc.. (Barker, Jeffrey) (Filed on 6/7/2018) Modified on 6/8/2018 (jjbS, COURT STAFF). (Entered: 06/07/2018)
07/12/2018	<u>78</u>	Minute Entry for proceedings held before Judge Haywood S. Gilliam, Jr.: Motion Hearing held on 7/12/2018. Total Time in Court: 45 Minutes. Court Reporter: Diane Skillman. Plaintiff Attorney: Sarah Colby; Guy Grunfeld; Devin Mauney. Defendant Attorney: Mallory Jensen; Jeffrey Barker. Defendants' motions to compel, motion to dismiss and motion to strike (docket nos. <u>60</u> – <u>61</u>) are argued and submitted by the parties, and taken under submission by the Court. (This is a text–only entry generated by the court. There is no document associated with this entry.) (ndrS, COURT STAFF) (Date Filed: 7/12/2018) (Entered: 07/13/2018)
08/07/2018	<u>79</u>	NOTICE of Substitution of Counsel by Jenny Snay Yelin (Yelin, Jenny) (Filed on 8/7/2018) (Entered: 08/07/2018)
10/15/2018	<u>80</u>	NOTICE of Change of Address by Benjamin Joseph Bien–Kahn (Bien–Kahn, Benjamin) (Filed on 10/15/2018) (Entered: 10/15/2018)
11/29/2018	<u>81</u>	** * DISREGARD THIS ENTRY. DOCKETED IN INCORRECT CASE NUMBER*** Minute Entry for proceedings held before Judge Yvonne Gonzalez Rogers: Telephone Conference held on 11/29/2018.Total Time in Court: 13 minutes (for both related cases). Court Reporter: NOT REPORTED. (fs, COURT STAFF) (Date Filed: 11/29/2018) Modified on 11/29/2018 (fs, COURT STAFF). (Entered: 11/29/2018)
01/16/2019	<u>82</u>	NOTICE of Appearance by Travis C Close (Close, Travis) (Filed on 1/16/2019) (Entered: 01/16/2019)

01/17/2019	<u>83</u>	ORDER by Judge Haywood S. Gilliam, Jr. Granting <u>53</u> Motion to Appoint Guardian ad Litem. (ndrS, COURT STAFF) (Filed on 1/17/2019) (Entered: 01/17/2019)
01/22/2019	<u>84</u>	TRANSCRIPT ORDER for proceedings held on 07/12/2018 before Judge Haywood S Gilliam, Jr by Edward Boris, Hellen Carlson, Heather Fisher, Bernie Jestrabek–Hart, Carlson Joan, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette, for Court Reporter Diane Skillman. (Grunfeld, Gay) (Filed on 1/22/2019) (Entered: 01/22/2019)
01/25/2019	<u>85</u>	ORDER by Judge Haywood S. Gilliam, Jr. DENYING DEFENDANTS <u>59</u> MOTION TO COMPEL ARBITRATION, GRANTING IN PART AND DENYING IN PART DEFENDANTS <u>60</u> MOTION TO DISMISS, AND DENYING DEFENDANTS <u>61</u> MOTION TO STRIKE. Amended Pleadings due by 2/15/2019; Case Management Statement due by 2/5/2019; Further Case Management Conference set for 2/12/2019 02:00 PM in Oakland, Courtroom 2, 4th Floor. (ndrS, COURT STAFF) (Filed on 1/25/2019) (Entered: 01/25/2019)
02/01/2019	<u>86</u>	Transcript of Proceedings held on July 12, 2018, before Judge Haywood S. Gilliam. Court Reporter Diane E. Skillman, telephone number 925–899–2812, Diane_Skillman@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 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>84</u> Transcript Order,) Release of Transcript Restriction set for 5/2/2019. (Related documents(s) <u>84</u>) (Skillman, Diane) (Filed on 2/1/2019) (Entered: 02/01/2019)
02/05/2019	<u>87</u>	JOINT CASE MANAGEMENT STATEMENT filed by Edward Boris, Hellen Carlson, Heather Fisher, Bernie Jestrabek–Hart, Carlson Joan, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette, Brookdale Senior Living, Inc., and Brookdale Living Communities, Inc. (Wallace, Guy) (Filed on 2/5/2019) Modified on 2/6/2019 (jjbS, COURT STAFF). (Entered: 02/05/2019)
02/08/2019	<u>88</u>	NOTICE of Appearance by Mark T. Johnson (Johnson, Mark) (Filed on 2/8/2019) (Entered: 02/08/2019)
02/12/2019	<u>89</u>	Minute Entry for proceedings held before Judge Haywood S. Gilliam, Jr.: Further Case Management Conference held on 2/12/2019. FTR Time: 2:27–2:51. Plaintiff Attorney: Gay Brunfeld and Gay Wallace. Defendant Attorney: Jeffrey Barker and Mallory Jensen. The parties are directed to meet and confer and e–file a stipulation and proposed order regarding a briefing schedule re request for certification for appeal. The parties proposed briefing schedule should only include the filing of the motion and an opposition. The Court advises the parties that the motion will be deemed submitted upon receipt of the final brief. Parties are directed to e–file by February 22nd their requested list of agreed–upon Magistrate Judges. The setting of case schedule is deferred at this time. (This is a text–only entry generated by the court. There is no document associated with this entry.)Transcriber is Diane Skillman. (ndrS, COURT STAFF) (Date Filed: 2/12/2019) Modified on 2/28/2019 (oh, COURT STAFF). (Entered: 02/13/2019)
02/15/2019	<u>90</u>	AMENDED COMPLAINT (<i>Third</i>) against All Defendants. Filed by Carlson Joan, Bernie Jestrabek–Hart, Hellen Carlson, Patricia Lindstrom, Stacia Stiner, Heather Fisher, Lawrence Quinlan, Loresia Vallette, Edward Boris, Arthur Lindstrom, Ralph Schmidt, Michele Lytle. (Grunfeld, Gay) (Filed on 2/15/2019) (Entered: 02/15/2019)
02/22/2019	<u>91</u>	Submission re 89 Minute Entry for Further Case Management Conference held on 2/12/2019 by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek–Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette. (Wallace, Guy) (Filed on 2/22/2019) Modified on 2/25/2019 (jjbS, COURT STAFF). (Entered: 02/22/2019)
02/25/2019	<u>92</u>	STIPULATION WITH PROPOSED ORDER <i>Setting Briefing Schedule for Request for Certification and Appeal</i> filed by Brookdale Senior Living Communities, Inc.,

		Brookdale Senior Living, Inc.. (Barker, Jeffrey) (Filed on 2/25/2019) (Entered: 02/25/2019)
02/25/2019	<u>93</u>	NOTICE OF APPEAL to the 9th Circuit Court of Appeals filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc.. (Appeal fee of \$505 receipt number 0971-13121584 paid.) (Barker, Jeffrey) (Filed on 2/25/2019) (Entered: 02/25/2019)
02/25/2019	<u>94</u>	MOTION to Stay <i>Proceedings Related to Plaintiffs Helen Carlson and Lawrence Quinlan's Claims Pending Appeal of Order Denying Motion to Compel Arbitration</i> filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc.. Responses due by 3/11/2019. Replies due by 3/18/2019. (Attachments: # <u>1</u> Proposed Order)(Barker, Jeffrey) (Filed on 2/25/2019) (Entered: 02/25/2019)
02/26/2019	<u>95</u>	ORDER by Judge Haywood S. Gilliam, Jr. Granting <u>92</u> Stipulation Setting Briefing Schedule for Request for Certification and Appeal. Motions due by 2/26/2019 and Responses due by 3/19/2019. (ndrS, COURT STAFF) (Filed on 2/26/2019) (Entered: 02/26/2019)
02/26/2019	<u>96</u>	Representation Statement re <u>93</u> Notice of Appeal by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc. (Barker, Jeffrey) (Filed on 2/26/2019) Modified on 2/27/2019 (jjbS, COURT STAFF). (Entered: 02/26/2019)
02/26/2019	<u>97</u>	CLERK'S NOTICE. Notice is hereby given that counsel must notice the <u>94</u> motion to stay proceedings for hearing. The briefing schedule remains in effect. Counsel is directed to check the Court's scheduling notes for the Court's next available hearing date. (<i>This is a text-only entry generated by the court. There is no document associated with this entry.</i>)(ndrS, COURT STAFF) (Filed on 2/26/2019) (Entered: 02/26/2019)
02/26/2019	<u>98</u>	Renotice motion hearing re <u>94</u> MOTION to Stay <i>Proceedings Related to Plaintiffs Helen Carlson and Lawrence Quinlan's Claims Pending Appeal of Order Denying Motion to Compel Arbitration</i> filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc. (Related document(s) <u>94</u>) (Barker, Jeffrey) (Filed on 2/26/2019) Modified on 2/27/2019 (jjbS, COURT STAFF). (Entered: 02/26/2019)
02/26/2019	<u>99</u>	MOTION to Certify Order for Interlocutory Appeal Pursuant to 28 U.S.C. § 1292(b) and Motion to Stay ; <i>Memorandum of Points and Authorities in Support Thereof</i> filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc.. Responses due by 3/19/2019. (Attachments: # <u>1</u> Proposed Order)(Barker, Jeffrey) (Filed on 2/26/2019) (Entered: 02/26/2019)
02/26/2019		Set Hearing as to <u>94</u> MOTION to Stay Pursuant to Docket No. <u>98</u> : Motion Hearing set for 5/30/2019 02:00 PM in Oakland, Courtroom 2, 4th Floor before Judge Haywood S. Gilliam Jr. (ndrS, COURT STAFF) (Filed on 2/26/2019) (Entered: 02/27/2019)
02/26/2019	<u>100</u>	USCA Case Number 19-15334 for the 9th Circuit for <u>93</u> Notice of Appeal filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc.. (cpS, COURT STAFF) (Filed on 2/26/2019) (Entered: 02/27/2019)
02/28/2019	<u>101</u>	TRANSCRIPT ORDER for proceedings held on February 12, 2019 before Judge Haywood S Gilliam, Jr by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc., for Court Reporter FTR - Oakland. (Jensen, Mallory) (Filed on 2/28/2019) (Entered: 02/28/2019)
02/28/2019	<u>102</u>	STIPULATION <i>Extending Time for Defendants to Respond to Plaintiffs' Third Amended Complaint</i> filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc. and All Plaintiffs. (Barker, Jeffrey) (Filed on 2/28/2019) Modified on 3/1/2019 (jjbS, COURT STAFF). (Entered: 02/28/2019)
02/28/2019	<u>103</u>	TRANSCRIPT ORDER for proceedings held on 2/12/2019 before Judge Haywood S Gilliam, Jr by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette, for Court Reporter FTR - Oakland. (Wallace, Guy) (Filed on 2/28/2019) (Entered: 02/28/2019)
03/04/2019	<u>104</u>	Transcript of Proceedings held on February 12, 2019, before Judge Haywood S. Gilliam. Transcriber Diane E. Skillman, telephone number 925-899-2812,

		Diane_Skillman@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 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>101</u> Transcript Order) Release of Transcript Restriction set for 6/3/2019. (Related documents(s) <u>101</u>) (Skillman, Diane) (Filed on 3/4/2019) (Entered: 03/04/2019)
03/06/2019	<u>105</u>	ADMINISTRATIVE MOTION Compel Rule 26(f) Conference filed by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette. Responses due by 3/11/2019. (Attachments: # <u>1</u> Declaration Gay Crosthwait Grunfeld, # <u>2</u> Proposed Order)(Grunfeld, Gay) (Filed on 3/6/2019) (Entered: 03/06/2019)
03/07/2019	<u>106</u>	ORDER by Hon. Haywood S. Gilliam, Jr. REFERRING CASE to Magistrate Judge Beeler for discovery purposes. (hsglc2S, COURT STAFF) (Filed on 3/7/2019) (Entered: 03/07/2019)
03/08/2019	107	CLERK'S NOTICE SETTING CASE MANAGEMENT CONFERENCE: Case Management Conference set for 3/14/2019 at 9:30 AM in San Francisco, Courtroom B, 15th Floor. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 3/8/2019) (Entered: 03/08/2019)
03/08/2019	<u>108</u>	ORDER. The district judge referred all discovery matters to the undersigned. In the attached order, the court refers the parties to the discovery dispute procedures in its standing order. Signed by Judge Laurel Beeler on March 8, 2019. (Attachments: # <u>1</u> Standing Order)(lblc3S, COURT STAFF) (Filed on 3/8/2019) (Entered: 03/08/2019)
03/08/2019	109	ORDER by Hon. Haywood S. Gilliam, Jr. DENYING <u>105</u> Plaintiffs Administrative Motion to Compel Rule 26(f) Conference, in light of <u>106</u> Order referring the case to Magistrate Judge Beeler for discovery proceedings. The parties will be advised of the date, time, and place of the next appearance by notice from Judge Beeler. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (hsglc2S, COURT STAFF) (Filed on 3/8/2019) (Entered: 03/08/2019)
03/08/2019	<u>110</u>	<i>Defendants'</i> ANSWER to <u>90</u> Amended Complaint (<i>Third</i>) by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc. (Barker, Jeffrey) (Filed on 3/8/2019) Modified on 3/11/2019 (jjbS, COURT STAFF). (Entered: 03/08/2019)
03/11/2019		Set/Reset Hearing. Discovery Hearing set for 3/14/2019 at 9:30 AM in San Francisco, Courtroom B, 15th Floor before Magistrate Judge Laurel Beeler. (ejkS, COURT STAFF) (Filed on 3/11/2019) (Entered: 03/11/2019)
03/11/2019	<u>111</u>	OPPOSITION/RESPONSE (re <u>94</u> MOTION to Stay <i>Proceedings Related to Plaintiffs Helen Carlson and Lawrence Quinlan's Claims Pending Appeal of Order Denying Motion to Compel Arbitration</i>) filed by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette. (Yelin, Jenny) (Filed on 3/11/2019) (Entered: 03/11/2019)
03/12/2019	<u>112</u>	STIPULATION WITH PROPOSED ORDER <i>re Briefing Schedule for Request for Certification for Appeal</i> filed by Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette, Brookdale Senior Living, Inc., and Brookdale Senior Living Communities, Inc. (Wallace, Guy) (Filed on 3/12/2019) Modified on 3/13/2019 (jjbS, COURT STAFF). (Entered: 03/12/2019)
03/13/2019	<u>113</u>	ORDER by Judge Haywood S. Gilliam, Jr. Granting <u>112</u> Stipulation Briefing Schedule for Request for Certification for Appeal. (ndrS, COURT STAFF) (Filed on 3/13/2019) (Entered: 03/13/2019)

03/14/2019	<u>114</u>	<p>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Discovery Hearing held on 3/14/2019. Court to issue order.</p> <p>Total Time in Court: 22 minutes. FTR Time: 9:50–10:03, 11:14–11:23.</p> <p>Plaintiffs' Attorneys: Mark Johnson, Gay Grunfeld and Guy Wallace. Defendants' Attorneys: Jeffrey Barker and Matthew Powers. (<i>This is a text-only entry generated by the court. There is no document associated with this entry.</i>) (ejkS, COURT STAFF) (Date Filed: 3/14/2019) (Entered: 03/14/2019)</p>
03/14/2019	<u>115</u>	<p>PDF with attached Audio File. Court Date & Time [3/14/2019 9:50:20 AM]. File Size [6472 KB]. Run Time [00:13:29]. (courtspeak). (Entered: 03/14/2019)</p>
03/14/2019	<u>116</u>	<p>PDF with attached Audio File. Court Date & Time [3/14/2019 11:14:45 AM]. File Size [4176 KB]. Run Time [00:08:42]. (courtspeak). (Entered: 03/14/2019)</p>
03/14/2019	<u>117</u>	<p>CASE-MANAGEMENT ORDER WITH DISCOVERY PLAN.</p> <p>The attached order memorializes some of the issues discussed at the March 14, 2019 case-management conference.</p> <p>(Beeler, Laurel) (Filed on 3/14/2019) (Entered: 03/14/2019)</p>
03/18/2019	<u>118</u>	<p>REPLY (re <u>94</u> MOTION to Stay <i>Proceedings Related to Plaintiffs Helen Carlson and Lawrence Quinlan's Claims Pending Appeal of Order Denying Motion to Compel Arbitration</i>) filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc.. (Barker, Jeffrey) (Filed on 3/18/2019) (Entered: 03/18/2019)</p>
03/20/2019	<u>119</u>	<p>Declaration of Michele Lytle pursuant to Cal. Code Civ. Proc. 377.32 by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette. (Yelin, Jenny) (Filed on 3/20/2019) Modified on 3/21/2019 (jjbS, COURT STAFF). (Entered: 03/20/2019)</p>
03/25/2019	<u>120</u>	<p>OPPOSITION/RESPONSE (re <u>99</u> MOTION to Certify Order for Interlocutory Appeal Pursuant to 28 U.S.C. § 1292(b) and Motion to Stay ; <i>Memorandum of Points and Authorities in Support Thereof</i>) filed by Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette. (Attachments: # <u>1</u> Declaration of Guy B. Wallace)(Wallace, Guy) (Filed on 3/25/2019) (Entered: 03/25/2019)</p>
03/25/2019	<u>121</u>	<p>Request for Judicial Notice re <u>120</u> Opposition/Response to Motion,, filed by Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette. (Attachments: # <u>1</u> Proposed Order)(Related document(s) <u>120</u>) (Wallace, Guy) (Filed on 3/25/2019) (Entered: 03/25/2019)</p>
03/26/2019	<u>122</u>	<p>TRANSCRIPT ORDER for proceedings held on 07/12/2018 before Judge Haywood S Gilliam, Jr by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc., for Court Reporter Diane Skillman. (Jensen, Mallory) (Filed on 3/26/2019) (Entered: 03/26/2019)</p>
03/27/2019	<u>123</u>	<p>Transcript Designation Form for proceedings held on 07/12/2018 before Judge Haywood S. Gilliam, Jr, (Barker, Jeffrey) (Filed on 3/27/2019) (Entered: 03/27/2019)</p>
04/01/2019	<u>124</u>	<p>DECLARATION of Ralph Carlson Pursuant to CCP § 377.32 by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette. (Yelin, Jenny) (Filed on 4/1/2019) Modified on 4/2/2019 (jjbS, COURT STAFF). (Entered: 04/01/2019)</p>
04/08/2019	<u>125</u>	<p>NOTICE of Change of Address for Sarah Colby by Guy Burton Wallace (Wallace, Guy) (Filed on 4/8/2019) Modified on 4/9/2019 (jjbS, COURT STAFF). (Entered: 04/08/2019)</p>

05/02/2019	<u>126</u>	PROPOSED STIPULATED PROTECTIVE ORDER filed by Helen Carlson, Joan Carlson, Stacia Stiner, Lawrence Quinlan, Loesia Vallette, Edward Boris, Michele Lytle, Ralph Schmidt, Heather Fisher, Patricia Lindstrom, Bernie Jestrabek-Hart, Brookdale Senior Living, Inc., Brookdale Senior Living Communities, Inc.(Johnson, Mark) (Filed on 5/2/2019) Modified on 5/3/2019 (jjbS, COURT STAFF). (Entered: 05/02/2019)
05/02/2019	<u>127</u>	Order by Magistrate Judge Laurel Beeler granting <u>126</u> Stipulated Protective Order. (ejkS, COURT STAFF) (Filed on 5/2/2019) (Entered: 05/02/2019)
05/28/2019	128	CLERK'S NOTICE. Notice is hereby given that the Court takes the pending <u>94</u> motion to stay filings under submission. The hearing previously scheduled for May 30, 2019 at 2:00 p.m. is vacated. The Court will issue a written order. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ndrS, COURT STAFF) (Filed on 5/28/2019) (Entered: 05/28/2019)
05/29/2019	<u>129</u>	MOTION for leave to appear in Pro Hac Vice <i>as to Jeffrey A. N. Kopczynski</i> (Filing fee \$ 310, receipt number 0971-13389284.) filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc.. (Attachments: # <u>1</u> Certificate of Good Standing)(Kopczynski, Jeffrey) (Filed on 5/29/2019) Modified on 5/30/2019 (cpS, COURT STAFF). (Entered: 05/29/2019)
06/05/2019	<u>130</u>	ORDER by Judge Haywood S. Gilliam, Jr. DENYING DEFENDANTS <u>94</u> MOTION TO STAY AND <u>99</u> MOTION TO CERTIFY FOR INTERLOCUTORY APPEAL. Case Management Statement due by 7/9/2019 and Further Case Management Conference set for 7/16/2019 02:00 PM in Oakland, Courtroom 2, 4th Floor. (ndrS, COURT STAFF) (Filed on 6/5/2019) (Entered: 06/05/2019)
06/19/2019	<u>131</u>	ORDER by Judge Haywood S. Gilliam, Jr. Granting <u>129</u> Motion for Pro Hac Vice as to Jeffrey A. N. Kopczynski. (ndrS, COURT STAFF) (Filed on 6/19/2019) (Entered: 06/19/2019)
07/01/2019	<u>132</u>	STIPULATION WITH PROPOSED ORDER <i>On Schedule re Motion to Compel</i> filed by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Kelly Clapper, Christopher Eidler, Patricia Eidler, Heather Fisher, Bonita Hager, Bernie Jestrabek-Hart, Mary-Catherine Jones, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette, Brookdale Senior Living Inc, et al. (Wallace, Guy) (Filed on 7/1/2019) Modified on 7/2/2019 (cpS, COURT STAFF). (Entered: 07/01/2019)
07/02/2019	<u>133</u>	Order by Magistrate Judge Laurel Beeler granting <u>132</u> Stipulation on Schedule re Motion to Compel. Defendants to provide Plaintiffs with their portion of the joint letter by 7/8/2019 at 1:00 PM and the parties are to file the joint letter and any attachments with the court on 7/10/2019. (ejkS, COURT STAFF) (Filed on 7/2/2019) (Entered: 07/02/2019)
07/09/2019	<u>134</u>	FURTHER JOINT CASE MANAGEMENT STATEMENT filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc., and Plaintiffs. (Barker, Jeffrey) (Filed on 7/9/2019) Modified on 7/10/2019 (jjbS, COURT STAFF). (Entered: 07/09/2019)
07/10/2019	<u>135</u>	Joint Discovery Letter Brief filed by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Kelly Clapper, Christopher Eidler, Patricia Eidler, Heather Fisher, Bonita Hager, Bernie Jestrabek-Hart, Mary-Catherine Jones, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Wallace, Guy) (Filed on 7/10/2019) (Entered: 07/10/2019)
07/11/2019	136	CLERK'S NOTICE SETTING DISCOVERY HEARING: Discovery Hearing set for 7/18/2019 at 9:30 AM in San Francisco, Courtroom B, 15th Floor before Magistrate Judge Laurel Beeler. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 7/11/2019) (Entered: 07/11/2019)
07/16/2019	137	Minute Entry for proceedings held before Judge Haywood S. Gilliam, Jr.: Further Case Management Conference held on 7/16/2019. FTR Time: 2:12-2:18. Plaintiff Attorney: Mark Johnson; Guy Wallace; Gay Grunfeld. Defendant

		Attorney: Mallory Jensen; Jeffrey Barker. The parties are in agreement with the Court issuing a scheduling order through class certification. Written scheduling order to issue. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ndrS, COURT STAFF) (Date Filed: 7/16/2019) (Entered: 07/16/2019)
07/16/2019	<u>138</u>	STIPULATION WITH PROPOSED ORDER <i>Regarding Motion to Compel Schedule</i> filed by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette, Brookdale Senior Living, Inc., Brookdale Senior Living Communities, Inc. (Grunfeld, Gay) (Filed on 7/16/2019) Modified on 7/17/2019 (jjbS, COURT STAFF). (Entered: 07/16/2019)
07/17/2019	<u>139</u>	Order by Magistrate Judge Laurel Beeler granting <u>138</u> Stipulation re: Motion to Compel Schedule. (ejkS, COURT STAFF) (Filed on 7/17/2019) (Entered: 07/17/2019)
07/17/2019	<u>140</u>	SCHEDULING ORDER: Motions due by 4/24/2020; Responses due by 5/29/2020; Replies due by 6/30/2020 and Motion Hearing set for 7/30/2020 02:00 PM in Oakland, Courtroom 2, 4th Floor before Judge Haywood S. Gilliam Jr. Signed by Judge Haywood S. Gilliam, Jr. on 7/17/2019. (ndrS, COURT STAFF) (Filed on 7/17/2019) (Entered: 07/17/2019)
07/18/2019	141	PLEASE DISREGARD CLERK'S NOTICE RESETTING DISCOVERY HEARING: Discovery Hearing previously set for 7/18/2019 is reset to 7/25/2019 at 9:30 AM in San Francisco, Courtroom B, 15th Floor before Magistrate Judge Laurel Beeler. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 7/18/2019) Modified on 7/18/2019 (ejkS, COURT STAFF). (Entered: 07/18/2019)
07/18/2019	142	CLERK'S NOTICE SETTING DISCOVERY HEARING: Discovery Hearing set for 7/18/2019 09:30 AM in San Francisco, Courtroom B, 15th Floor before Magistrate Judge Laurel Beeler. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 7/18/2019) (Entered: 07/18/2019)
07/18/2019	143	CLERK'S NOTICE SETTING DISCOVERY HEARING: Discovery Hearing set for 7/25/2019 at 9:30 AM in San Francisco, Courtroom B, 15th Floor before Magistrate Judge Laurel Beeler. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 7/18/2019) (Entered: 07/18/2019)
07/19/2019	<u>144</u>	Joint Discovery Letter Brief filed by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette. (Grunfeld, Gay) (Filed on 7/19/2019) (Entered: 07/19/2019)
07/25/2019	145	Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Discovery Hearing held on 7/25/2019. Court to issue order. Total Time in Court: 35 minutes. FTR Time: 10:50-11:25. Plaintiffs' Attorneys: Guy Wallace and Mark Johnson. Defendants' Attorneys: Jeffrey Barker, Jeffrey Kopczynski and Mallory Jensen. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Date Filed: 7/25/2019) Modified on 7/26/2019: Matter transcribed by Joan Columbini. (rjdS, COURT STAFF). (Entered: 07/25/2019)
07/25/2019	<u>146</u>	PDF with attached Audio File. Court Date & Time [7/25/2019 10:50:05 AM]. File Size [16888 KB]. Run Time [00:35:11]. (courtspeak). (Entered: 07/25/2019)
07/25/2019	<u>147</u>	ORDER by Judge Laurel Beeler addressing <u>135</u> Discovery Letter Brief and <u>144</u> Discovery Letter Brief. (lblc3S, COURT STAFF) (Filed on 7/25/2019) (Entered: 07/25/2019)

07/25/2019	<u>148</u>	TRANSCRIPT ORDER for proceedings held on July 25, 2019 before Magistrate Judge Laurel Beeler by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc., for Court Reporter FTR – San Francisco. (Powers, Matthew) (Filed on 7/25/2019) (Entered: 07/25/2019)
07/29/2019	<u>149</u>	Transcript of Proceedings held on July 25, 2019, before Judge Laurel Beeler. Court Reporter/Transcriber Joan Marie Columbini, CSR, RPR, telephone number (510) 367-3043, joan.columbini.csr@gmail.com. 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>148</u> Transcript Order,) Redaction Request due 8/19/2019. Redacted Transcript Deadline set for 8/29/2019. Release of Transcript Restriction set for 10/28/2019. (Related documents(s) <u>148</u>) (Columbini, Joan) (Filed on 7/29/2019) (Entered: 07/29/2019)
07/30/2019	<u>150</u>	TRANSCRIPT ORDER for proceedings held on 07/25/2019 before Magistrate Judge Laurel Beeler by Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette, for Court Reporter Joan Columbini. (Wallace, Guy) (Filed on 7/30/2019) (Entered: 07/30/2019)
09/11/2019	<u>151</u>	STIPULATION WITH PROPOSED ORDER <i>Re: Production of Brookdale Resident Contact Information</i> filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc., Stacia Stiner, Helen Carlson, Lawrence Quinlan, Loesia Vallette, Edward Boris, Michele Lytle, Ralph Schmidt, Patricia Lindstrom, Arthur Lindstrom, Bernie Jestrabek-Hart, Jeanette Algarme, and Joan Carlson. (Barker, Jeffrey) (Filed on 9/11/2019) Modified on 9/12/2019 (jjbS, COURT STAFF). (Entered: 09/11/2019)
09/12/2019	<u>152</u>	Order by Magistrate Judge Laurel Beeler granting <u>151</u> Stipulation re: Production of Brookdale Resident Contact Information. (ejkS, COURT STAFF) (Filed on 9/12/2019) (Entered: 09/12/2019)
09/13/2019	<u>153</u>	STIPULATION WITH PROPOSED ORDER <i>Regarding Accessibility Inspections</i> filed by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette, Brookdale Senior Living, Inc., and Brookdale Senior Living Communities, Inc. (Johnson, Mark) (Filed on 9/13/2019) Modified on 9/16/2019 (jjbS, COURT STAFF). (Entered: 09/13/2019)
10/22/2019	<u>154</u>	Order by Magistrate Judge Laurel Beeler granting <u>153</u> Stipulation Regarding Accessibility Inspections. (ejkS, COURT STAFF) (Filed on 10/22/2019) (Entered: 10/22/2019)
10/29/2019	<u>155</u>	NOTICE of Appearance by Brian S Umpierre (Umpierre, Brian) (Filed on 10/29/2019) (Entered: 10/29/2019)
01/08/2020	<u>156</u>	STIPULATION WITH PROPOSED ORDER <i>On Schedule re Motion for Class Certification</i> filed by Stacia Stiner, Brookdale Senior Living, Inc., and Brookdale Senior Living Communities, Inc. (Wallace, Guy) (Filed on 1/8/2020) Modified on 1/8/2020 (jjbS, COURT STAFF). (Entered: 01/08/2020)
01/08/2020		<u>Electronic filing error. REMINDER TO COUNSEL:</u> Proposed Order missing suffix to Judge's Name. Counsel need not re-file document, but should reference Hon. Judge Haywood S. Gilliam, Jr. in future filings if they wish to include reference to Judge's full assignment reference. <i>This is a text only docket entry. There is no document associated with this entry.</i> Re: <u>156</u> STIPULATION WITH PROPOSED ORDER <i>On Schedule re Motion for Class Certification</i> filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc., Stacia Stiner (jjbS, COURT STAFF) (Filed on 1/8/2020) (Entered: 01/08/2020)
02/01/2020	157	ORDER by Hon. Haywood S. Gilliam, Jr. SETTING a telephonic conference for February 4, 2020 at 3:00 p.m. to discuss <u>156</u> the parties' stipulation on the schedule. The Court understands that Mr. Guy Wallace is presently on leave, and would appreciate it if Ms. Gay Grunfeld could appear at the telephonic for Plaintiffs. Counsel shall contact CourtCall at (866) 582-6878 to make arrangements for the telephonic appearance. (This is a text-only entry generated

		<i>by the court. There is no document associated with this entry.</i>) (hsglc2S, COURT STAFF) (Filed on 2/1/2020) (Entered: 02/01/2020)
02/01/2020		Set Hearing, See Docket No. 157 : Telephone Conference set for 2/4/2020 03:00 PM in Oakland, Chambers before Judge Haywood S. Gilliam Jr. (ndrS, COURT STAFF) (Filed on 2/1/2020) (Entered: 02/03/2020)
02/04/2020	<u>158</u>	NOTICE of Appearance of Guy B. Wallace by CourtCall by Stacia Stiner re 157 Order,, (Wallace, Guy) (Filed on 2/4/2020) Modified on 2/5/2020 (jjbS, COURT STAFF). (Entered: 02/04/2020)
02/04/2020	<u>159</u>	NOTICE of CourtCall Appearance by Gay Grunfeld by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek–Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette re Set/Reset Hearings (Grunfeld, Gay) (Filed on 2/4/2020) Modified on 2/5/2020 (jjbS, COURT STAFF). (Entered: 02/04/2020)
02/04/2020	160	Minute Entry for proceedings held before Judge Haywood S. Gilliam, Jr.: Telephone Conference held on 2/4/2020. Total Time in Court: 17 Minutes. Not Reported. Plaintiff Attorney: Gay Grunfeld and Guy Wallace both all appearing via courtcall. Defendant Attorney: Jeffrey Baker; William Buffaloe and Matt Powers all appearing via courtcall. The Court will hold the stipulation and proposed order extending the schedule for class certification briefing (docket no. 156) in abeyance. The parties should contact Magistrate Judge Beeler regarding holding a discovery conference. Prior to any discovery conference, the parties should meet and confer and determine (1) any discovery issues that they may resolve without bringing to Judge Beeler's attention; and (2) any discovery issues that require Judge Beeler's assistance. Based on Judge Beeler's assessment on the discovery issues and the amount of time needed to complete discovery, the Court will determine what, if any, extension is necessary. (This is a text–only entry generated by the court. There is no document associated with this entry.) (ndrS, COURT STAFF) (Date Filed: 2/4/2020) (Entered: 02/05/2020)
02/07/2020	161	CLERK'S NOTICE SETTING DISCOVERY HEARING: Discovery Hearing set for 2/27/2020 at 9:30 AM in San Francisco, Courtroom B, 15th Floor before Magistrate Judge Laurel Beeler. (This is a text–only entry generated by the court. There is no document associated with this entry.) (ejkS, COURT STAFF) (Filed on 2/7/2020) (Entered: 02/07/2020)
02/13/2020	<u>162</u>	Joint Discovery Letter Brief with Exhibit A filed by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek–Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette. (Attachments: # <u>1</u> Declaration Jeffrey A.N. Kopczynski in Support of Defs Opposition to Pltfs Motion to Compel)(Grunfeld, Gay) (Filed on 2/13/2020) (Entered: 02/13/2020)
02/21/2020	<u>163</u>	Joint Statement Regarding Discovery Issues by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek–Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loresia Vallette., Brookdale Senior Living, Inc., and Brookdale Senior Living Communities, Inc. (Wallace, Guy) (Filed on 2/21/2020) Modified on 2/24/2020 (jjbS, COURT STAFF). (Entered: 02/21/2020)
02/21/2020	<u>164</u>	Declaration of Jeffrey A. N. Kopczynski in Support of <u>163</u> Statement, filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Related document(s) <u>163</u>) (Kopczynski, Jeffrey) (Filed on 2/21/2020) (Entered: 02/21/2020)
02/27/2020	165	Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Discovery Hearing held on 2/27/2020. Matter is argued, submitted and taken under submission. Court to issue order. Total Time in Court: 38 minutes. FTR Time: 11:47–12:25. Plaintiffs' Attorneys: Guy Wallace, Gay Grunfeld and Mark Johnson. Defendants' Attorneys: Matthew Powers and Jeffrey Kopczynski.

		<i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Date Filed: 2/27/2020) Modified on 3/5/2020: Matter transcribed by Tara (Bauer) Jauregui (ECHO Reporting). (rjdS, COURT STAFF). (Entered: 02/27/2020)
02/28/2020	<u>166</u>	DISCOVERY ORDER. In the attached order, the court addresses the discovery dispute in the discovery letter brief at ECF No. <u>162</u> and summarizes the discussion at the February 27, 2020 discovery hearing, where the parties worked through the timing of their discovery productions and settled on a reasonable schedule (with the court's participation) for the contemplated class-certification motion. The parties will submit a stipulation and proposed scheduling order, which will settle the current stipulation and proposed order at ECF No. 156. (Beeler, Laurel) (Filed on 2/28/2020) (Entered: 02/28/2020)
03/04/2020	<u>167</u>	TRANSCRIPT ORDER for proceedings held on 02/27/2020 before Magistrate Judge Laurel Beeler by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette, for Court Reporter FTR – San Francisco. (Wallace, Guy) (Filed on 3/4/2020) (Entered: 03/04/2020)
03/04/2020	<u>168</u>	TRANSCRIPT ORDER for proceedings held on February 27, 2020 before Magistrate Judge Laurel Beeler by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc., for Court Reporter FTR – San Francisco. (Powers, Matthew) (Filed on 3/4/2020) (Entered: 03/04/2020)
03/05/2020		Electronic filing error. REMINDER TO COUNSEL: Counsel is instructed that all future filings shall bear the initials HSG immediately after the case number Re: <u>168</u> Transcript Order, filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc., <u>167</u> Transcript Order, filed by Helen Carlson, Patricia Lindstrom, Edward Boris, Michele Lytle, Loesia Vallette, Jeanette Algarme, Joan Carlson, Stacia Stiner, Bernie Jestrabek-Hart, Lawrence Quinlan, Ralph Schmidt, Arthur Lindstrom (jjbS, COURT STAFF) (Filed on 3/5/2020) (Entered: 03/05/2020)
03/06/2020	<u>169</u>	STIPULATION WITH PROPOSED ORDER ON SCHEDULE RE MOTION FOR CLASS CERTIFICATION: RECOMMENDATION OF MAGISTRATE JUDGE BEELER RE SAME filed by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Bernie Jestrabek-Hart, Mary-Catherine Jones, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette, Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc.. (Wallace, Guy) (Filed on 3/6/2020) Modified on 3/9/2020 (jlmS, COURT STAFF). (Entered: 03/06/2020)
03/10/2020	<u>170</u>	ORDER by Judge Haywood S. Gilliam, Jr. Granting <u>169</u> Stipulation ON SCHEDULE RE MOTION FOR CLASS CERTIFICATION: RECOMMENDATION OF MAGISTRATE JUDGE BEELER RE SAME. Motions due by 11/20/2020; Responses due by 1/21/2021; Replies due by 3/5/2021 and Motion Hearing set for 4/8/2021 02:00 PM in Oakland, Courtroom 2, 4th Floor before Judge Haywood S. Gilliam Jr.(ndrS, COURT STAFF) (Filed on 3/10/2020) (Entered: 03/10/2020)
03/10/2020	<u>171</u>	Transcript of Proceedings of the official sound recording held on 02/27/20, before Magistrate Judge Laurel Beeler. FTR/Transcriber Echo Reporting, Inc., telephone number (858) 453-7590. Tape Number: FTR 11:47 – 12:25. 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>167</u> Transcript Order,) Redaction Request due 3/31/2020. Redacted Transcript Deadline set for 4/10/2020. Release of Transcript Restriction set for 6/8/2020. (Related documents(s) <u>167</u>) (tgj, COURT STAFF) (Filed on 3/10/2020) (Entered: 03/10/2020)

03/11/2020	<u>172</u>	Joint Discovery Letter Brief re PSS and Kronos Data and Documents filed by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette, Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc.. (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibits A-1 to A-5 to Letter Brief re PSS and Kronos Data, # <u>2</u> Exhibit Plaintiffs' Exhibit B to Letter Brief re PSS and Kronos Data, # <u>3</u> Exhibit Plaintiffs' Exhibit C to Letter Brief re PSS and Kronos Data, # <u>4</u> Exhibit Plaintiffs' Exhibit D to Letter Brief re PSS and Kronos Data, # <u>5</u> Exhibit Defendants' Exhibit A to Letter Brief re PSS and Kronos Data)(Johnson, Mark) (Filed on 3/11/2020) Modified on 3/12/2020 (jlmS, COURT STAFF). (Entered: 03/11/2020)
03/12/2020	<u>173</u>	Joint Discovery Letter Brief re ESI filed by Jeanette Algarme, Edward Boris, Helen Carlson, Joan Carlson, Heather Fisher, Bernie Jestrabek-Hart, Arthur Lindstrom, Patricia Lindstrom, Michele Lytle, Lawrence Quinlan, Ralph Schmidt, Stacia Stiner, Loesia Vallette, Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc.. (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibit A to Letter Brief re ESI, # <u>2</u> Exhibit Plaintiffs' Exhibit B to Letter Brief re ESI, # <u>3</u> Exhibit Plaintiffs' Exhibit C to Letter Brief re ESI, # <u>4</u> Exhibit Plaintiffs' Exhibit D to Letter Brief re ESI, # <u>5</u> Exhibit Plaintiffs' Exhibit E to Letter Brief re ESI, # <u>6</u> Exhibit Plaintiffs' Exhibit F to Letter Brief re ESI, # <u>7</u> Exhibit Plaintiffs' Exhibit G to Letter Brief re ESI, # <u>8</u> Exhibit Plaintiffs' Exhibit H to Letter Brief re ESI, # <u>9</u> Exhibit Plaintiffs' Exhibit I to Letter Brief re ESI, # <u>10</u> Exhibit Defendants' Exhibit A to Letter Brief re ESI)(Johnson, Mark) (Filed on 3/12/2020) Modified on 3/13/2020 (jlmS, COURT STAFF). (Entered: 03/12/2020)
03/16/2020	<u>174</u>	ORDER: by Judge Laurel Beeler denying <u>172</u> Discovery Letter Brief; denying <u>173</u> Discovery Letter Brief without prejudice. The court orders the parties to meet and confer after Brookdale provides their anticipated response this week. If the parties cant agree to a production schedule, then they can file another joint letter brief outlining their proposed schedules, and the court will decide. (lbc3S, COURT STAFF) (Filed on 3/16/2020) (Entered: 03/16/2020)
03/19/2020	<u>175</u>	Defendants' Notice of Change in Counsel by Christopher Joseph Truxler. (Truxler, Christopher) (Filed on 3/19/2020) Modified on 3/20/2020 (cjlS, COURT STAFF). (Entered: 03/19/2020)
03/20/2020		<u>Electronic filing error.</u> Incorrect event used. [err101] The Proper Event is a Motion. This filing will not be processed by the clerks office. Please re-file in its entirety Re: <u>175</u> Notice of Change In Counsel filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc. (cjlS, COURT STAFF) (Filed on 3/20/2020) (Entered: 03/20/2020)
03/20/2020	<u>176</u>	MOTION to Substitute Attorney filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc.. (Truxler, Christopher) (Filed on 3/20/2020) (Entered: 03/20/2020)
03/20/2020	177	Order finding as moot <u>156</u> Stipulation, in light of <u>170</u> , entered by Judge Haywood S Gilliam, Jr. (This is a text-only entry generated by the court. There is no document associated with this entry.) (Entered: 03/20/2020)
03/20/2020	<u>178</u>	ORDER by Judge Haywood S. Gilliam, Jr. Granting <u>176</u> DEFENDANTS NOTICE OF CHANGE INCOUNSEL. Attorney Adam P. KohSweeney; Jeffrey A.N. Kopczyński; Matthew David Powers; Jeffrey A. Barker and Mallory Ann Jensen terminated. (ndrS, COURT STAFF) (Filed on 3/20/2020) (Entered: 03/20/2020)
03/27/2020	<u>179</u>	MOTION for leave to appear in Pro Hac Vice for Gerald L. Maatman, Jr. (Filing fee \$ 310, receipt number 0971-14321398) filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc. (Maatman, Gerald) (Filed on 3/27/2020) Modified on 3/30/2020 (cjlS, COURT STAFF). (Entered: 03/27/2020)
03/27/2020	<u>180</u>	MOTION for leave to appear in Pro Hac Vice for Jennifer A. Riley (Filing fee \$ 310, receipt number 0971-14321502) filed by Brookdale Senior Living Communities, Inc., Brookdale Senior Living, Inc. (Riley, Jennifer) (Filed on 3/27/2020) Modified on 3/30/2020 (cjlS, COURT STAFF). (Entered: 03/27/2020)

03/30/2020	<u>181</u>	NOTICE of Appearance by Justin Taylor Curley (Curley, Justin) (Filed on 3/30/2020) (Entered: 03/30/2020)
03/30/2020	<u>182</u>	NOTICE of Appearance by Matthew A. Goodin (Goodin, Matthew) (Filed on 3/30/2020) (Entered: 03/30/2020)
04/10/2020	<u>183</u>	ORDER by Judge Haywood S. Gilliam, Jr. Granting <u>179</u> Motion for Pro Hac Vice for Gerald L. Maatman, Jr. (ndrS, COURT STAFF) (Filed on 4/10/2020) (Entered: 04/10/2020)
04/10/2020	<u>184</u>	ORDER by Judge Haywood S. Gilliam, Jr. Granting <u>180</u> Motion for Pro Hac Vice for Jennifer A. Riley. (ndrS, COURT STAFF) (Filed on 4/10/2020) (Entered: 04/10/2020)