

CLOSED

**U.S. District Court
Eastern District of California – Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:03-cv-02110-DFL-EFB**

Clayworth, et al v. Bonta, et al
Assigned to: Judge David F. Levi
Referred to: Magistrate Judge Edmund F. Brennan
Demand: \$0
Cause: 42:1396 – Tort Negligence

Date Filed: 10/06/2003
Date Terminated: 12/01/2006
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

James Clayworth
R.Ph
Doing business as
Clayworth Healthcare Pharmacy

represented by **Lynn S Carman**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Wayne Roberts

represented by **Lynn S Carman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Madeleine Madden

represented by **Lynn S Carman**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Diana M Bonta
Director of the Dept of Health Services,
State of CA

represented by **Irene K Tamura**
Attorney General's Office for the State of
California
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TERMINATED: 09/10/2004
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Defendant**Dept of Health Svcs***a department of the State of California**TERMINATED: 12/23/2003*represented by **Irene K Tamura**

(See above for address)

*TERMINATED: 12/23/2003**LEAD ATTORNEY**ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
03/19/2003	79	TRANSCRIPT of 12/3/03 hearing on motion for permanent injunction by C/R Dennis F McKinnon (ljr) (Entered: 03/22/2004)
10/06/2003	1	COMPLAINT for injunctive or mandamus relief, fee status paid, receipt # 205 5602, assigned to Chief Judge David F. Levi, referred to Magistrate Judge Peter A. Nowinski (mdk) (Entered: 10/07/2003)
10/06/2003	2	ORDER REQUIRING JOINT STATUS REPORT by Chief Judge David F. Levi and informing the parties on the procedure to follow in pursuing this action (mdk) (Entered: 10/07/2003)
10/06/2003	3	ORDER RE DISCOVERY by Magistrate Judge Peter A. Nowinski informing the parties on the procedure to follow in pursuing this action (mdk) (Entered: 10/07/2003)
10/15/2003	4	NOTICE OF MOTIONS for permanent injunction by pltfs James Clayworth, Wayne Roberts, Madeleine Madden , or alternatively for preliminary injunction by pltfs James Clayworth, Wayne Roberts, Madeleine Madden ; motion TO BE HEARD by Chief Judge David F. Levi; Motion Hearing Set For 11/12/03 at 9:00 (ljr) (Entered: 10/16/2003)
10/15/2003	5	REQUEST for Judicial notice by pltfs James Clayworth, Wayne Roberts, Madeleine Madden in support of motions for injunctive or mandamus relief (ljr) (Entered: 10/16/2003)
10/15/2003	6	DECLARATION by pltfs of James Clayworth R.Ph in support of motions for permanent injunction, preliminary injunction or writ of mandamus [4-1] (ljr) (Entered: 10/16/2003)
10/15/2003	7	DECLARATION of by pltfs of Madeleine Madden in support of motions for permanent injunction, preliminary injunction or writ of mandamus [4-1] (ljr) (Entered: 10/16/2003)
10/15/2003	8	DECLARATION of by pltfs of Wayne Roberts in support of motions for permanent injunction, preliminary injunction or writ of mandamus [4-1] (ljr) (Entered: 10/16/2003)
10/15/2003	9	PROOF OF SERVICE by pltfs James Clayworth, Wayne Roberts, Madeleine Madden of [8-1], [7-1], [6-1], [5-1], [4-1], [4-2], [1-1] (ljr) (Entered: 10/16/2003)
10/16/2003	10	COURT NOTICE: from CRD motion for permanent injunction by pltfs James Clayworth, Wayne Roberts, Madeleine Madden [4-1]; re motion for preliminary injunction by pltfs James Clayworth, Wayne Roberts, Madeleine Madden [4-2] HEARING RESET FOR 10:00 11/12/03 (cc: all counsel) (ljr) (Entered: 10/17/2003)
10/30/2003	11	EX PARTE APPLICATION by dfts for order extending time in which to respond to plts' motions for permanent injunction, or alternatively, a preliminary injunction or writ of mandamus; order extending time in which to respond to complaint and order continuing hearing on plts' motions (ndd) (Entered: 10/31/2003)
10/30/2003	12	DECLARATION of Irene K Tamura in support of dfts' Ex Parte Application [11-1] (ndd) (Entered: 10/31/2003)
10/30/2003		LODGED Order Granting Ex Parte Application by defendants (ndd) (Entered: 10/31/2003)

10/31/2003	13	COURT NOTICE: from CRD motion for permanent injunction by pltfs James Clayworth, Wayne Roberts, Madeleine Madden re motion for preliminary injunction by pltfs James Clayworth, Wayne Roberts, Madeleine Madden [4-2] HEARING RESET FOR 10:00 12/3/03 (cc: all counsel) (ljr) (Entered: 11/03/2003)
11/03/2003		LODGED Document: proposed order granting ex parte application by dfts CA Health Services and Diana M Bonta lodged on 10/30/03 (NOT TO BE SIGNED PER JUDGE) (ljr) (Entered: 11/04/2003)
11/03/2003	14	NOTICE by pltfs James Clayworth, Wayne Roberts, Madeleine Madden of hearing motion for permanent injunction by pltfs James Clayworth, Wayne Roberts, Madeleine Madden [4-1]; motion for preliminary injunction by pltfs James Clayworth, Wayne Roberts, Madeleine Madden [4-2] HEARING RESET FOR 3:00 12/3/03 (ljr) (Entered: 11/04/2003)
11/03/2003	15	COURT NOTICE: from CRD hearing motion for permanent injunction by pltfs James Clayworth, Wayne Roberts, Madeleine Madden [4-1]; motion for preliminary injunction by pltfs James Clayworth, Wayne Roberts, Madeleine Madden [4-2] HEARING RESET FOR 3:00 12/3/03 (cc: all counsel) [14-1] (cc: all counsel) (ljr) (Entered: 11/04/2003)
11/05/2003	16	ANSWER by defendant Diana M Bonta, defendant Dept of Health Svcs to complaint [1-1] (ljr) (Entered: 11/05/2003)
11/07/2003	17	NOTICE of related case 03-CV-2336 DFL PAN (mdk) (Entered: 11/10/2003)
11/14/2003	18	NOTICE by pltfs of related case(s) CIV.S-03-2336 DFL PAN and CIV.S-03-2371 WBS JFM (nac) (Entered: 11/17/2003)
11/19/2003	19	NOTICE OF MOTION AND MOTION for judgment on the pleadings by defendants motion TO BE HEARD by Chief Judge David F. Levi; Motion Hearing Set For 10:00 12/17/03 (mdk) (Entered: 11/20/2003)
11/19/2003	20	MEMORANDUM OF POINTS AND AUTHORITIES by defendants in SUPPORT of motion for judgment on the pleadings [19-1] (mdk) (Entered: 11/20/2003)
11/19/2003	21	OPPOSITION by defendants to motion for permanent injunction by pltfs [4-1], to motion for preliminary injunction by pltfs [4-2] (mdk) (Entered: 11/20/2003)
11/19/2003	22	DECLARATION of Kathleen Menda in support of defendants' opposition to motion for a permanent injunction/preliminary injunction [21-1] (mdk) (Entered: 11/20/2003)
11/19/2003	23	DECLARATION of Irvin B White in support of defendants' opposition to motion for permanent injunction/preliminary injunction [21-1] (mdk) (Entered: 11/20/2003)
11/19/2003	24	REQUEST for Judicial notice by defendants in support of opposition to motion for a permanent injunction/preliminary injunction (mdk) (Entered: 11/20/2003)
11/26/2003	<u>25</u>	ORDER by Chief Judge David F. Levi ORDERING declarations containing facts re motion for preliminary injunction by pltfs James Clayworth, Wayne Roberts, Madeleine Madden filing ddl 5:00 pm 12/1/03 [4-1] (cc: all counsel) (ljr) (Entered: 12/01/2003)
11/26/2003	26	PROOF OF SERVICE by defendant Diana M Bonta, defendant Dept of Health Svcs of [19-1], [20-1], [22-1], [21-1], [23-1], [24-1] (ljr) (Entered: 12/01/2003)
12/01/2003	27	REPLY to opposition to motion for permanent injunction by pltfs [4-1], motion for preliminary injunction by pltfs [4-2] (mdk) (Entered: 12/02/2003)
12/01/2003	28	REQUEST for Judicial notice by plaintiffs (mdk) (Entered: 12/02/2003)
12/01/2003	29	DECLARATION of Lee R Stranberg, R.Ph., Ph.D, in support of pltfs' motions for injunctive and mandamus relief [4-1], [4-2] (mdk) Modified on 12/02/2003 (Entered: 12/02/2003)
12/01/2003	30	SUPPLEMENTARY DECLARATION of James Clayworth, R.Ph, in support of pltfs' motions for injunctive or mandamus relief [4-1], [4-2] (mdk) (Entered: 12/02/2003)

		12/02/2003)
12/01/2003	31	NOTICE by plaintiffs of opinion of Richard D Wilson, CPA in support of pltf's motions for injunctive or mandamus relief [4-1], [4-2] (mdk) (Entered: 12/02/2003)
12/01/2003	32	NOTICE by plaintiffs of opinion of Paul W Lofholm, PharmD, FACA in support of pltf's motions for injunctive or mandamus relief [4-1] [4-2], w/survey of the CA Korean Pharmacists' Associations as Exhibit A (mdk) (Entered: 12/02/2003)
12/03/2003	33	AMENDED PROOF OF SERVICE by pltf's James Clayworth, Wayne Roberts, Madeleine Madden of [32-1] (ljr) Modified on 12/03/2003 (Entered: 12/03/2003)
12/03/2003	34	OPPOSITION by plaintiff James Clayworth, plaintiff Wayne Roberts, plaintiff Madeleine Madden to motion for judgment on the pleadings by defendants [19-1] (ljr) (Entered: 12/03/2003)
12/03/2003	35	MINUTES before Chief Judge David F. Levi motion for permanent injunction by pltf's James Clayworth, Wayne Roberts, Madeleine Madden [4-1] SUBMITTED after further briefing; motion for preliminary injunction by pltf's James Clayworth, Wayne Roberts, Madeleine Madden [4-2] SUBMITTED after further briefing; briefs to be filed by 12/10/03; C/R D McKinnon (ljr) (Entered: 12/04/2003)
12/04/2003	36	DECLARATION of Douglas B Hillblom in opposition to motion for preliminary injunction [4-2] (ljr) (Entered: 12/05/2003)
12/08/2003	37	TRANSCRIPT of 12/3/03 hearing on motion for permanent injunction by C/R Dennis F McKinnon (ljr) (Entered: 12/09/2003)
12/10/2003	38	CORRECTED OPPOSITION by pltf's James Clayworth, Wayne Roberts, Madeleine Madden to motion for judgment on the pleadings by defendants [19-1] (ljr) (Entered: 12/11/2003)
12/10/2003	39	CLOSING BRIEF by pltf's James Clayworth, Wayne Roberts, Madeleine Madden (ljr) (Entered: 12/11/2003)
12/10/2003	40	REPLY to pltf's opposition to motion for judgment on the pleadings by defendants [19-1] (ljr) (Entered: 12/11/2003)
12/10/2003	41	SUPPLEMENTAL BRIEF by dft's Diana M Bonta, Dept of Health Svcs after hrg on pltf's motion for injunctive relief [4-1] (ljr) (Entered: 12/11/2003)
12/11/2003	42	APPENDIX by defendant Diana M Bonta, defendant Dept of Health Svcs of authorities cited in dft's reply to opposition to motion for judgment on the pleadings [40-1] (ljr) (Entered: 12/12/2003)
12/12/2003	43	CORRECTED APPENDIX of authorities by defendants cited in dft's reply to opposition to motion for judgment of the pleadings [40-1] (mdk) (Entered: 12/15/2003)
12/12/2003	44	OBJECTION by plaintiffs to statement in the declaration of Douglas B Hillbloom [36-1] (mdk) (Entered: 12/15/2003)
12/17/2003	45	MINUTES before Chief Judge David F. Levi: motion for judgment on the pleadings by defendants [19-1] SUBMITTED; order to be prepared by the Court; C/R D McKinnon (mdk) (Entered: 12/18/2003)
12/23/2003	<u>46</u>	MEMORANDUM OPINION AND ORDER by Chief Judge David F. Levi because the State failed to consider the effect of the rate reduction on beneficiaries' equal access to quality medical services, in view of provider costs, the pending rate reduction is arbitrary and cannot stand; dft Bonta is enjoined from implementing the 5% reimbursement rate reduction required by Welfare and Institutions Code Sec 14105.19 pending further proceedings in this court; this injunction does not apply to Sec 14105.19(b)(3), which reduces capitation rate paid to managed care plans by the actuarial equivalent of 5%; the injunction also does not apply to Sec 14105.19(b)(2), which reduces payments made in certain non-Medi-Cal programs; the Department of Health Services is DISMISSED from CIV S 03-2110 on the basis of 11th Amendment immunity [4-1] in CIV S 03-2110 DFL PAN; [9-1] in CIV S 03-cv-2336 DFL PAN; party Dept of Health Svcs DISMISSED in

		CIV S 03-2110 DFL PAN (cc: all counsel) (ljr) (Entered: 12/23/2003)
01/08/2004	47	NOTICE OF MOTION AND MOTION for reconsideration by defendant , memorandum of points and authorities; motion TO BE HEARD by Chief Judge David F. Levi; Motion Hearing Set for 10:00 2/11/04 (mdk) (Entered: 01/09/2004)
01/08/2004	48	DECLARATION of Stan Rosenstein in support of dft's motion for reconsideration [47-1] (mdk) Modified on 01/09/2004 (Entered: 01/09/2004)
01/08/2004	49	REQUEST for Judicial notice by defendant in support of dft's motion for reconsideration (mdk) (Entered: 01/09/2004)
01/14/2004	50	NOTICE OF MOTION for summary judgment by pltfs James Clayworth, Madeleine Madden , or in the alternative for final permanent injunction or writ of mandamus by pltfs James Clayworth, Madeleine Madden ; motion TO BE HEARD by Chief Judge David F. Levi; Motion Hearing Set For 2/11/04 at 10:00 (ljr) (Entered: 01/15/2004)
01/14/2004	51	SUPPLEMENTARY DECLARATION of Madeleine Madden [50-1], [50-2], [7-1] (ljr) (Entered: 01/15/2004)
01/14/2004	52	LETTER to court from counsel for pltfs James Clayworth, Madeleine Madden regarding pltfs were unable to serve the 2nd suppl declaration of James Clayworth R Ph upon dfts [51-1] (ljr) (Entered: 01/15/2004)
01/22/2004	53	WITHDRAWAL by pltfs James Clayworth, Wayne Roberts, Madeleine Madden of motion for summary judgment by pltfs James Clayworth, Madeleine Madden [50-1] TERMINATED, motion for final permanent injunction or writ of mandamus by pltfs James Clayworth, Madeleine Madden [50-2] TERMINATED (ljr) (Entered: 01/23/2004)
01/28/2004	54	OPPOSITION by pltfs James Clayworth, Wayne Roberts, Madeleine Madden to motion for reconsideration by defendant [47-1] (ljr) (Entered: 01/29/2004)
01/28/2004	55	SECOND SUPPLEMENTARY OPINION part I by pltfs James Clayworth, Madeleine Madden, Dept of Health Svcs of Paul W Lofholm PharmD, FACA (ljr) (Entered: 01/29/2004)
01/28/2004	56	OPINION part II by pltfs James Clayworth, Madeleine Madden, Dept of Health Svcs of Paul W Lofholm PharmD, FACA (ljr) (Entered: 01/29/2004)
01/28/2004	57	SECOND SUPPLEMENTARY OPINION by pltfs James Clayworth, Madeleine Madden, Dept of Health Svcs of Lee R Strandberg R.Ph.,Ph.D (ljr) (Entered: 01/29/2004)
02/02/2004	58	JOINT STATUS REPORT (mdk) (Entered: 02/03/2004)
02/02/2004	59	REQUEST for Judicial notice by plaintiffs' (mdk) (Entered: 02/03/2004)
02/03/2004	60	CORRECTION OF ERRATA by plaintiffs to opposition to dft's motion to reconsider order of 12/23/03 [54-1] (mdk) (Entered: 02/04/2004)
02/04/2004	61	REPLY to opposition to motion for reconsideration by defendant [47-1] (mdk) (Entered: 02/05/2004)
02/04/2004	62	DECLARATION of T Allan Hansen in support of dft's reply to opposition to motion for reconsideration [61-1] (mdk) (Entered: 02/05/2004)
02/04/2004	63	REQUEST for Judicial notice by defendant in support of dft's reply to opposition to motion for reconsideration (mdk) (Entered: 02/05/2004)
02/04/2004	64	REPLY by defendant to CMA pltf's objections to declaration of Stan Rosenstein (mdk) (Entered: 02/05/2004)
02/05/2004	65	CORRECTED REPLY to oppositon to motion for reconsideration by defendant [47-1] (mdk) (Entered: 02/06/2004)
02/06/2004	66	EX PARTE APPLICATION by plaintiffs for order to strike all references to the Myers and Stauffer analysis of 8/2002 and the 7.9 % aggregate net profit there claimed, or in the alternative, for an order to continue to the 2/11/04 hearing, or for

		an order to strike factual statements and conclusions not supported by any evidence or data in the record (mdk) (Entered: 02/06/2004)
02/06/2004	67	DECLARATION of Lynn S Carman in support of pltfs' ex parte application to continue hearing and for other orders [66-1] (mdk) (Entered: 02/06/2004)
02/06/2004	68	OPPOSITION by defendant Diana M Bonta (the Director of the California Dept of Health Services) to pltfs' ex parte application to strike or in the alternatice to continue hearing [66-1] (ljr) (Entered: 02/09/2004)
02/10/2004	69	APPENDIX OF AUTHORITIES by pltfs James Clayworth, Wayne Roberts, Madeleine Madden (ljr) (Entered: 02/10/2004)
02/10/2004	<u>70</u>	MEMORANDUM OPINION AND ORDER by Chief Judge David F. Levi motion for reconsideration by dft [47-1] DENIED; the parties are ordered to submit a joint status order within 10 days of this order; the court is open to an expedited schedule in view of the public importance of the issues presented (cc: all counsel) (ljr) (Entered: 02/11/2004)
02/25/2004		LODGED stipulation and order extending time to file motion for award of attorneys' fees by defendant Diana M Bonta, plaintiff James Clayworth, plaintiff Wayne Roberts, plaintiff Madeleine Madden (ljr) (Entered: 02/25/2004)
02/25/2004	71	JOINT STATUS REPORT by defendant Diana M Bonta, plaintiff James Clayworth, plaintiff Wayne Roberts, plaintiff Madeleine Madden (ljr) (Entered: 02/26/2004)
02/26/2004	<u>72</u>	STIPULATION AND ORDER by Chief Judge David F. Levi that pltfs motion for award of attys' fees filing ddl set for 4/15/04 (cc: all counsel) (ljr) (Entered: 02/26/2004)
03/08/2004	73	INTERLOCUTORY (Preliminary Injunction) Appeal to 9th Circuit Court of Appeals by defendant Diana M Bonta (mm1) (Entered: 03/09/2004)
03/11/2004	74	MAILED case information/docket fee payment notice, copy of Notice of Appeal to 9th Circuit Court of Appeals, copy of appeal and docket sheet to all parties (mm1) (Entered: 03/11/2004)
03/11/2004	75	BILL FOR FEES DUE: \$255.00 appeal fee due from Diana M Bonta re: appeal [73-1] (mm1) (Entered: 03/11/2004)
03/11/2004	76	TRANSCRIPT DESIGNATION and Ordering Form for dates 12/3/03, 12/17/03 and 12/20/03 pltfs motion for preliminary injunction; 12/17 dft's motion for judgment on the pleadings re appeal [73-1] (ljr) (Entered: 03/11/2004)
03/17/2004		NOTIFICATION by 9th Circuit of Appellate Docket Number 04-15498 (ljr) (Entered: 03/17/2004)
03/18/2004	77	APPEAL fee paid by the State of CA as to dt Diana Bonta receipt # 202 10997 [73-1] (ljr) (Entered: 03/19/2004)
03/19/2004	78	TRANSCRIPT of 12/17/03 hearing on motion for preliminary injunction by C/R Dennis F McKinnon (ljr) (Entered: 03/22/2004)
03/22/2004	80	CERTIFICATE OF RECORD transmitted to 9th Circuit on transcripts [79-1], [80-1] re appeal [73-1] (notice sent) (ljr) (Entered: 03/22/2004)
04/02/2004	81	TRANSCRIPT DESIGNATION and Ordering Form for dates 12/17/03 re appeal [73-1] (mdk) (Entered: 04/05/2004)
04/15/2004	82	NOTICE OF MOTION AND MOTION for attorneys' fees by pltfs motion TO BE HEARD by Chief Judge David F. Levi; Motion Hearing Set For 10:00 5/19/04 (mdk) Modified on 04/19/2004 (Entered: 04/19/2004)
04/15/2004	83	DECLARATION of Lynn S Carman in SUPPORT of pltfs' motion for attorneys' fees [82-1] (mdk) Modified on 04/19/2004 (Entered: 04/19/2004)
04/15/2004	84	DOCUMENTS/EXHIBITS by plaintiffs in SUPPORT of motion for attorneys' fees [82-1] (mdk) Modified on 04/19/2004 (Entered: 04/19/2004)

04/19/2004	85	CORRECTED DECLARATION of Lynn S Carmen in SUPPORT of ptfs' motion for attorneys' fees [82-1] (mdk) (Entered: 04/20/2004)
04/19/2004	86	LETTER to court from counsel for plaintiff regarding corrected declaration of Lynn S Carman [85-1] (mdk) (Entered: 04/20/2004)
04/26/2004	87	NOTICE by pltfs James Clayworth, Wayne Roberts, Madeleine Madden Verification of declaration of Lynn S Carman in support of attorneys' fees [82-1] (ljr) (Entered: 04/27/2004)
05/05/2004	88	OPPOSITION by defendant Diana M Bonta to motion for attorneys' fees by pltfs [82-1] (ljr) (Entered: 05/06/2004)
05/07/2004	89	PROOF OF SERVICE by defendant Diana M Bonta of [88-1] (ljr) (Entered: 05/10/2004)
05/12/2004	90	REPLY to dfts's opposition to fees by pltfs [82-1] (ljr) (Entered: 05/13/2004)
05/12/2004	91	FURTHER REQUEST for Judicial notice by pltfs James Clayworth, Wayne Roberts, Madeleine Madden (ljr) (Entered: 05/13/2004)
05/14/2004	92	NOTICE by pltfs James Clayworth, Wayne Roberts, Madeleine Madden of adoption of brief and declarations and supplementary request for judicial notice [82-1] (ljr) (Entered: 05/17/2004)
05/25/2004	93	NOTICE of related cases CIV.S-04-1008 GEB DAD and CIV.S-03-2336 DFL PAN filed by pltfs' in case 04-cv-1008 (mdk) (Entered: 05/26/2004)
05/27/2004	94	NOTICE of related cases CIV.S-04-1036 LKK KJM and CIV.S-03-2336 DFL PAN (mdk) (Entered: 05/28/2004)
06/04/2004	<u>95</u>	ORDER by Chief Judge David F Levi: Related Case Notice [93-1] DENIED because factual issues are quite different (cc: all counsel) (mm1) (Entered: 06/04/2004)
06/04/2004	<u>96</u>	RELATED CASE ORDER by Chief Judge David F. Levi ORDERING the action denominated CIV.S-04-1036 LKK KJM be reassigned to Judge David F. Levi and Magistrate Peter A. Nowinski for all further proceedings; The Clerk to make appropriate adjustment in the assignment of civil to compensate for this reassignment; relating case(s) 2:03-cv-2110 with member cases 2:03-cv-2336 and 2:04-cv-1036 (cc: all counsel) (nac) Modified on 06/04/2004 (Entered: 06/04/2004)
06/23/2004	<u>97</u>	MEMORANDUM OPINION AND ORDER by Chief Judge David F. Levi awarding atty's fees in these cases would be premature; motion for attorneys' fees by pltfs [82-1] DENIED in 2:03-cv-02110, motion for attorney fees by pltfs [137-1] DENIED in 2:03-cv-02336 without prejudice to their later renewal (cc: all counsel) (ljr) (Entered: 06/23/2004)
07/22/2004		LODGED Stipulation &(Proposed) Order extending dft's time to respond to pltf's Motion for Summary Judgment (mm1) (Entered: 07/26/2004)
08/24/2004	98	NOTICE by pltfs James Clayworth, Wayne Roberts, Madeleine Madden in 2:03-cv-02110 DFL PAN, and case 2:03-cv-2336 DFL PAN of related case(s) with 2:04-cv-1729 WBS PAN (ljr) (Entered: 08/25/2004)
08/30/2004	<u>99</u>	RELATED CASE ORDER by Chief Judge David F. Levi relating case(s) 2:03cv2110 DFL PAN with member cases 2:04cv1729 WBS PAN and 2:03cv2336 DFL PAN ; case 2:04cv1729 shall be REASSIGNED to DFL for all further proceedings; any hearing dates in case 04cv1729 are hereby VACATED (cc: all counsel) (ljr) (Entered: 08/30/2004)
09/10/2004	100	SUBSTITUTION OF ATTORNEY Julie Weng-Gutierrez replacing attorney Irene K Tamura for Diana M Bonta in 2:03-cv-02110 and 2:03-cv-02336 (ljr) (Entered: 09/13/2004)
09/22/2004	101	NOTICE of related case(s) by pltfs Developmental Svcs, Mountain View Child, Mountain Shadows, Brian Cook in CIV S 04-1501 MCE DAD with case(s) CIV S 03-2110 DFL PAN and CIV S 03-2336 DFL PAN (ljr) (Entered: 09/23/2004)

09/29/2004	<u>102</u>	RELATED CASE ORDER by Chief Judge David F. Levi that the action denominated 2:04cv1501 MCE DAD be REASSIGNED to DFL and PAN for all further proceedings in 2:03cv02110, 2:03cv02336 (cc: all counsel) (ljr) (Entered: 09/29/2004)
09/30/2004	103	NOTICE by pltf's James Clayworth, Wayne Roberts, Madeleine Madden in 2:03cv02110, by pltf's James Clayworth, Central Care, Independent Living in 2:04cv01729 of related case(s) 2:04cv2064 FCD DAD, 2:04cv1729 DFL PAN, 2:03cv2110 DFL PAN, 2:03cv2336 DFL PAN, 2:04cv1036 DFL PAN, 2:04cv1501 DFL PAN (ljr) (Entered: 10/01/2004)
10/28/2004		CLERK'S record on appeal transmitted to 9th Circuit #04-15498: case file 5 volumes; 3 transcripts; and copy of docket mailed to 9th Circuit regarding appeal [73-1] (ljr) (Entered: 10/28/2004)
11/03/2004		RETURNED Receipt from USCA of case files (mdk) (Entered: 11/04/2004)
04/19/2005	<u>104</u>	NOTICE of RELATED CASE 05-762 by James Clayworth (Carman, Lynn) (Entered: 04/19/2005)
04/20/2005	<u>105</u>	NOTICE of RELATED CASE 05-00767, 03-2110, 03-2336 by James Clayworth filed by <i>Thuong Van Tran</i> (Carman, Lynn) (Entered: 04/20/2005)
05/12/2005	<u>106</u>	NOTICE of CHANGE of ADDRESS by Lynn S Carman (Carman, Lynn) (Entered: 05/12/2005)
05/12/2005	<u>107</u>	NOTICE of RELATED CASE 2:5-CV-00767, CiV-S-03-2336, CIV-S-03-2336 by James Clayworth Amended (Carman, Lynn) (Entered: 05/12/2005)
05/24/2005	<u>108</u>	ORDER re <u>107</u> Notice of Related Case signed by Judge David F. Levi on 5/24/05. The Court finds that the case ARE NOT to be related or reassigned. This Order issued for informational purposes only, and shall have no effect on status of cases.(Marciel, M) (Entered: 05/24/2005)
06/14/2005	<u>109</u>	RELATED CASE ORDER with 2:03cv2110 DFL PAN, 2:03cv2336 DFL PAN, 2:04cv1124 DFL GGH, 2:04cv1501 DFL PAN, 2:04cv1729 DFL PAN and 2:05cv409 WBS DAD. REASSIGNING case(s) 2:04cv1124 and 2:05cv409 to Judge David F. Levi and Peter A. Nowinski for all further proceedings. signed by Judge David F. Levi on 6/9/2005. (Reader, L) (Entered: 06/14/2005)
12/19/2005	<u>110</u>	USCA JUDGMENT #04-15498 as to 73 Notice of Interlocutory Appeal filed by Diana M Bonta, decision of district court REVERSED (Reader, L) (Entered: 12/20/2005)
12/22/2005	111	APPEAL RECORD RETURNED: 5 volumes of Clerk's files and 3 Reporters Transcripts. (Text only entry) (Matson, R) (Entered: 12/23/2005)
03/09/2006	<u>112</u>	NOTICE OF TEMPORARY ASSIGNMENT notifying parties that due to the retirement of Magistrate Judge Peter A. Nowinski, this action is temporarily reassigned to Magistrate Judge John F. Moulds. (Brown, T) (Entered: 03/09/2006)
08/29/2006	<u>113</u>	ORDER by Chief Judge David F. Levi ORDERING due to the recent appointment of Magistrate Judge Edmund F. Brennan to the bench of the Eastern District, this action is REASSIGNED from Magistrate Judge Peter A. Nowinski for all further proceedings. (Brown, T) (Entered: 08/29/2006)
11/30/2006	<u>114</u>	STIPULATION of DISMISSAL by Diana M Bonta. (Weng-Gutierrez, Julie) (Entered: 11/30/2006)
11/30/2006	<u>115</u>	PROPOSED ORDER Granting Stipulation for Dismissal by Diana M Bonta. (Weng-Gutierrez, Julie) (Entered: 11/30/2006)
12/01/2006	<u>116</u>	STIPULATION and ORDER <u>115</u> signed by Judge David F. Levi on 12/1/06 DISMISSING CASE in its entirety pursuant to FRCP 41(a)(1)(ii). Each party shall bear their own costs and attorneys fees. CASE CLOSED (Krueger, M) (Entered: 12/01/2006)