

(MANx),CLOSED,DISCOVERY,RELATED-G

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:09-cv-08642-CAS-MAN**

California Hospital Association v. David Maxwell-Jolly  
Assigned to: Judge Christina A. Snyder  
Referred to: Magistrate Judge Margaret A. Nagle  
Related Case: 2:08-cv-03315-CAS-MAN  
Case in other court: 9th CCA, 10-55462  
Cause: 28:2201 Constitutionality of State Statute(s)

Date Filed: 11/24/2009  
Date Terminated: 06/01/2011  
Jury Demand: None  
Nature of Suit: 950 Constitutional – State Statute  
Jurisdiction: Federal Question

**Plaintiff**

**California Hospital Association**

represented by **Jordan Brian Keville**  
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V.

**Defendant**

**David Maxwell-Jolly**  
*Director of the State of Department of  
Health Care Services, State of California*

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Date Filed	#	Docket Text
11/24/2009	<u>1</u>	COMPLAINT against Defendants David Maxwell-Jolly, State of California. (Filing fee \$ 350 PAID.), filed by Plaintiff California Hospital Association. (et) (ds). (Entered: 11/30/2009)
11/24/2009		20 DAY Summons Issued re Complaint – (Discovery) <u>1</u> as to Defendant David Maxwell-Jolly. (et) (Entered: 11/30/2009)
11/24/2009	<u>2</u>	CERTIFICATE AND NOTICE of Interested Parties filed by Plaintiff California Hospital Association. (et) (ds). (Entered: 11/30/2009)
11/24/2009	<u>3</u>	NOTICE of Related Case(s) filed by Plaintiff California Hospital Association. Related Case(s): CV 08-03315 CAS (MANx); CV 09-0382 CAS (MANx) and CV 09-0722 CAS (Ex). (et) (ds). (Entered: 11/30/2009)
12/07/2009	<u>4</u>	PROOF OF SERVICE Executed by Plaintiff California Hospital Association, upon David Maxwell-Jolly served on 11/25/2009, answer due 12/15/2009. The Summons and Complaint were served by Personal service, by FRCP Rule 4 statute, upon Vince Blackburn, Staff Counsel authorized to accept service. Due Dilligence declaration no attachment. Original Summons not returned. (Keville, Jordan) (Entered: 12/07/2009)
12/09/2009	<u>5</u>	ORDER RETURNING CASE FOR REASSIGNMENT by Judge Consuelo B. Marshall. ORDER case returned to the Clerk for random reassignment pursuant to General Order 08-05. Case randomly reassigned from Judge Consuelo B. Marshall to Judge J. Spencer Letts for all further proceedings. The case number will now reflect the initials of the transferee Judge CV 09-08642 JSL (MANx). (rn) (Entered: 12/09/2009)
12/09/2009	<u>6</u>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 08-05 –Related Case– filed. Related Case No: CV 08-03315 CAS(MANx). Case transferred from Judge J. Spencer Letts to Judge Christina A. Snyder for all further proceedings. The case number will now reflect the initials of the transferee Judge CV 09-08642 CAS(MANx).Signed by Judge Christina A. Snyder (rn) (Entered: 12/09/2009)
12/17/2009	<u>8</u>	ORDER ON STIPULATION TO EXTENSION OF TIME TO RESPOND TO COMPLAINT by Judge Christina A. Snyder <u>7</u> . Court orders that Defendant's response to complaint is due on or before 1/15/2009. (kpa) (Entered: 12/21/2009)
12/18/2009	<u>7</u>	STIPULATION for Extension of Time to File Response to Complaint as to Complaint – (Discovery) <u>1</u> filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Proposed Order on Stipulation for Extension of Time to Respond to Complaint)(Ray, Brenda) (Entered: 12/18/2009)
01/11/2010	<u>9</u>	NOTICE OF MOTION AND MOTION for Preliminary Injunction re: to enjoin Defendant from implementing/applying limitations to Medi-Cal Reimbursement to Hospitals filed by Plaintiff California Hospital Association. Motion set for hearing on 2/8/2010 at 10:00 AM before Judge Christina A. Snyder. (Attachments: # <u>1</u> Memorandum of Points and Authorities in Support, # <u>2</u> Declaration of Duane C. Dauner, # <u>3</u> Declaration of Jan S. Raymond in Support, # <u>4</u> Exhibit A to Declaration of Jan S. Raymond, # <u>5</u> Exhibit B-1 to Declaration of Jan S. Raymond, # <u>6</u> Exhibit B-2 to Declaration of Jan S. Raymond, # <u>7</u> Exhibit C to Declaration of Jan S. Raymond, # <u>8</u> Declaration of Patricia Blaisdell in Support, # <u>9</u> Declaration of Jordan B. Keville in

		Support, # <u>10</u> Proposed Order, # <u>11</u> Request for Judicial Notice)(Keville, Jordan) (Entered: 01/11/2010)
01/11/2010	<u>10</u>	DECLARATION of Jordan B. Keville in Support of MOTION for Preliminary Injunction re: to enjoin Defendant from implementing/applying limitations to Medi-Cal Reimbursement to Hospitals <u>9</u> filed by Plaintiff California Hospital Association. (Keville, Jordan) (Entered: 01/11/2010)
01/13/2010	<u>11</u>	NOTICE TO COUNSEL by Judge Christina A. Snyder: This case has been assigned to the calendar of Judge Christina A. Snyder. This Notice to Counsel shall be to all parties appearing in propria persona, and for purposes of this notice, the term "counsel" shall include any person appearing in pro per. See document for further details. (jre) (Entered: 01/14/2010)
01/14/2010	<u>12</u>	EX PARTE APPLICATION to Continue Hearing on Plaintiff's Motion for Preliminary Injunction from February 8, 2010 to February 22, 2010 Re: MOTION for Preliminary Injunction re: to enjoin Defendant from implementing/applying limitations to Medi-Cal Reimbursement to Hospitals <u>9</u> filed by Defendant David Maxwell-Jolly.(Tillman, Lisa) (Entered: 01/14/2010)
01/14/2010	<u>13</u>	MEMORANDUM of Points and Authorities in Support filed by Defendant David Maxwell-Jolly. Re: EX PARTE APPLICATION to Continue Hearing on Plaintiff's Motion for Preliminary Injunction from February 8, 2010 to February 22, 2010 Re: MOTION for Preliminary Injunction re: to enjoin Defendant from implementing/applying limitations to Medi-Cal <u>12</u> (Tillman, Lisa) (Entered: 01/14/2010)
01/14/2010	<u>14</u>	DECLARATION of Lisa Tillman re Memorandum of Points and Authorities in Support (non-motion), Memorandum of Points and Authorities in Support (non-motion) <u>13</u> , EX PARTE APPLICATION to Continue Hearing on Plaintiff's Motion for Preliminary Injunction from February 8, 2010 to February 22, 2010 Re: MOTION for Preliminary Injunction re: to enjoin Defendant from implementing/applying limitations to Medi-Cal <u>12</u> filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 01/14/2010)
01/14/2010	<u>15</u>	EX PARTE APPLICATION for Order for [Proposed] Order for Continuance of Hearing filed by Defendant David Maxwell-Jolly.(Tillman, Lisa) (Entered: 01/14/2010)
01/15/2010	<u>16</u>	NOTICE OF MOTION AND MOTION for More Definite Statement filed by Defendant David Maxwell-Jolly. Motion set for hearing on 2/22/2010 at 10:00 AM before Judge Christina A. Snyder. (Attachments: # <u>1</u> Declaration of Lisa Tillman in Support, # <u>2</u> Request for Judicial Notice, # <u>3</u> Proposed Order)(Tillman, Lisa) (Entered: 01/15/2010)
01/15/2010	<u>17</u>	Plaintiffs' Opposition re: EX PARTE APPLICATION to Continue Hearing on Plaintiff's Motion for Preliminary Injunction from February 8, 2010 to February 22, 2010 Re: MOTION for Preliminary Injunction re: to enjoin Defendant from implementing/applying limitations to Medi-Cal <u>12</u> filed by Plaintiff California Hospital Association. (Keville, Jordan) (Entered: 01/15/2010)
01/15/2010	<u>18</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Filer used the Ex Parte Application for Order event in docketing this filing, creating a pending matter for the judge. This document tendered for the judge's approval should have been submitted as a separate PDF attachment to the ex parte application, document #12, or a Notice of Lodging. Clerk has terminated the proposed order, only, from the judge's pending report RE: Proposed Order filed 1/14/2010 <u>15</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (gk) (Entered: 01/15/2010)
01/19/2010	<u>19</u>	ORDER by Judge Christina A. Snyder: Defendant's Application for a Continuance of the hearing on Plaintiff's Motion for a Preliminary Injunction <u>12</u> is hereby granted. Plaintiff's Motion for a Preliminary Injunction <u>9</u> will be heard on 2/22/2010 at 10:00 AM. In accord with Local Rule 7-11, Defendant's opposition, if any, to the Preliminary Injunction Motion is now due on 2/1/2010. (gk) (Entered: 01/19/2010)

01/20/2010	<u>20</u>	NOTICE OF MOTION AND MOTION to Stay Case pending Issuance of 9th Circuit Court of Appeals Decisions filed by Defendant David Maxwell-Jolly. Motion set for hearing on 2/22/2010 at 10:00 AM before Judge Christina A. Snyder. (Attachments: # <u>1</u> Declaration of Lisa Tillman in Support of Defendant's Motion for Stay, # <u>2</u> Defendant's Request for Judicial Notice in Support of Motion for Stay, # <u>3</u> Proposed Order)(Tillman, Lisa) (Entered: 01/20/2010)
01/21/2010	<u>21</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: No Certification of Interested Parties, Local Rule 7.1-1 RE: Defendant's Notice of Motion and Motion to Stay filed 1/20/2010 <u>20</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (gk) (Entered: 01/22/2010)
02/01/2010	<u>22</u>	Opposition re: MOTION to Stay Case pending Issuance of 9th Circuit Court of Appeals Decisions <u>20</u> filed by Plaintiff California Hospital Association. (Keville, Jordan) (Entered: 02/01/2010)
02/01/2010	<u>23</u>	OPPOSITION re: MOTION for More Definite Statement <u>16</u> filed by Plaintiff California Hospital Association. (Keville, Jordan) (Entered: 02/01/2010)
02/01/2010	<u>24</u>	MEMORANDUM in Opposition to MOTION for Preliminary Injunction re: to enjoin Defendant from implementing/applying limitations to Medi-Cal Reimbursement to Hospitals <u>9</u> filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Declaration of Lisa Tillman in Support of Def. Opp. to Mtn for Preliminary Injunction, # <u>2</u> Declaration of Larry Brown in Support of Def. Opp. to Mtn for Preliminary Injunction, # <u>3</u> Declaration of J. Callori in Support of Def. Opp. to Mtn for Preliminary Injunction, # <u>4</u> Declaration of Susan Flores in Support of Def. Opp. to Mtn for Preliminary Injunction, # <u>5</u> Declaration of A. Harjala in Support of Def. Opp. to Mtn for Preliminary Injunction, # <u>6</u> Declaration of Ong in Support of Def. Opp. to Mtn for Preliminary Injunction, # <u>7</u> Declaration of S. Yien in Support of Def. Opp. to Mtn for Preliminary Injunction, # <u>8</u> Declaration of Matsumoto in Support of Def. Opp. to Mtn for Preliminary Injunction, # <u>9</u> Proposed Order On Plaintiff's Mtn for Prelim. Injunc.)(Tillman, Lisa) ** DOCUMENT STRICKEN PURSUANT TO CIVIL MINUTES OF 2/4/2010 <u>30</u> ** Modified on 2/5/2010 (gk). (Entered: 02/01/2010)
02/01/2010	<u>25</u>	REQUEST FOR JUDICIAL NOTICE re MOTION for Preliminary Injunction re: to enjoin Defendant from implementing/applying limitations to Medi-Cal Reimbursement to Hospitals <u>9</u> filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Exhibit 1 to RJN, # <u>2</u> Exhibit 2 to RJN, # <u>3</u> Declaration 3-12 to RJN, # <u>4</u> Declaration 13-A to RJN, # <u>5</u> Exhibit 13-B to RJN, # <u>6</u> Exhibit 14-20 to RJN, # <u>7</u> Declaration 21-28 to RJN)(Tillman, Lisa) (Entered: 02/01/2010)
02/01/2010	<u>26</u>	NOTICE Notice of Interested Parties filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 02/01/2010)
02/01/2010	<u>27</u>	EX PARTE APPLICATION to Exceed Page Limitation Defendant's Oppo. to Mtn. for Prelim. Injunction filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Declaration of L. Tillman in Support of Ex Parte App. to Exceed Page Limit, # <u>2</u> Proposed Order Granting Def. Ex Parte App. to Exceed Page Limit)(Tillman, Lisa) (Entered: 02/01/2010)
02/03/2010	<u>28</u>	ORDER by Judge Christina A. Snyder denying <u>27</u> Ex Parte Application to Exceed Page Limite for Briefing on Motion for Preliminary Injunction. (bm) (Entered: 02/03/2010)
02/03/2010	<u>29</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Incorrect event selected. Correct event to be used is Certificate/Notice of Interested Parties. Notice (other) event utilized in docketing this filing RE: Notice of Interested Parties filed 2/1/2010 <u>26</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (gk) (Entered: 02/04/2010)
02/04/2010	<u>30</u>	MINUTES (In Chambers) Order Striking Defendant's Opposition to Plaintiff's Motion for Preliminary Injunction Filed 2/1/2010 by Judge Christina A. Snyder: The Court hereby strikes defendant's 36 page Opposition to Plaintiff's Motion for Preliminary Injunction filed on 2/1/2010 <u>24</u> . The Court orders defendant to file an opposition that

		complies with the Local Rules of Court, on or before 2/5/2010. Plaintiffs shall file their reply no later than 2/10/2010. Court Reporter: Not Reported. (gk) (Entered: 02/05/2010)
02/05/2010	<u>31</u>	AMENDED OPPOSITION re: MOTION for Preliminary Injunction re: to enjoin Defendant from implementing/applying limitations to Medi-Cal Reimbursement to Hospitals <u>9</u> filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 02/05/2010)
02/08/2010	<u>32</u>	REPLY to Opposition to MOTION for More Definite Statement <u>16</u> <i>or, in the Alternative, Motion to Dismiss</i> filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 02/08/2010)
02/08/2010	<u>33</u>	REPLY to Opposition to MOTION to Stay Case pending Issuance of 9th Circuit Court of Appeals Decisions <u>20</u> filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 02/08/2010)
02/10/2010	<u>34</u>	RESPONSE IN SUPPORT of MOTION for Preliminary Injunction re: to enjoin Defendant from implementing/applying limitations to Medi-Cal Reimbursement to Hospitals <u>9</u> filed by Plaintiff California Hospital Association. (Attachments: # <u>1</u> Declaration (Supplemental) of Patricia Blaisdell, # <u>2</u> Declaration (Supplemental) of Jan S. Raymond, # <u>3</u> Declaration of Henry W. Zaretsky; Exhibits)(Keville, Jordan) (Entered: 02/10/2010)
02/22/2010	<u>35</u>	MINUTES OF Motion Hearing held before Judge Christina A. Snyder: The Court DENIES defendant David Maxwell-Jolly, Director of the California Department of Health Care Services's Motion for More Definite Statement, and in the Alternative, Motion to Dismiss the Complaint <u>16</u> . Court Reporter: Laura Elias. (gk) (Entered: 02/24/2010)
02/22/2010	<u>36</u>	MINUTES OF Motion Hearing held before Judge Christina A. Snyder: The Court DENIES defendant David Maxwell-Jolly, Director of the California Department of Health Care Services's Motion to Stay <u>20</u> . Court Reporter: Laura Elias. (gk) (Entered: 02/24/2010)
02/24/2010	<u>37</u>	ORDER Granting Plaintiff's Motion for Preliminary Injunction <u>9</u> by Judge Christina A. Snyder. The Court GRANTS plaintiff's motion for preliminary injunction. The Court HEREBY ORDERS respondent Director, his agents, servants, employees, attorneys, successors, and all those working in concert with him to refrain from enforcing Cal. Welf. & Inst. Code § 14105.191(f), including refraining from effectively freezing the Medi-Cal reimbursement rates for services provided by nursing facilities that are part of hospitals, and by subacute and pediatric subacute care units that are part of hospitals, "rendered during the 2009-2010 rate year and each rate year thereafter" at 2008-2009 levels. Further, the Court ORDERS the Director, et al., to refrain from enforcing that portion of Cal. Welf. & Inst. Code 14166.245(g)(1) which reduces by 10% payments to small and rural hospitals, not under contract with the Department, for inpatient services provided on or after 7/1/2009. (csi) (Entered: 02/25/2010)
03/08/2010	<u>38</u>	NOTICE OF MOTION AND MOTION to Alter Judgment re Order on Motion for Preliminary Injunction,,,, <u>37</u> . filed by Defendant David Maxwell-Jolly. Motion set for hearing on 4/12/2010 at 10:00 AM before Judge Christina A. Snyder. (Attachments: # <u>1</u> Proposed Order)(Tillman, Lisa) (Entered: 03/08/2010)
03/09/2010	<u>39</u>	EX PARTE APPLICATION for Consideration of Filing a Corrected Declaration filed by Defendant David Maxwell-Jolly. (Attachments: # <u>1</u> Declaration of Lisa Tillman in Support of Ex Parte Application, # <u>2</u> Declaration of Susan Flores in Support of Ex Parte Application, # <u>3</u> Corrected Declaration of Susan Flores in Support of Motion for Preliminary Injunction, # <u>4</u> Proposed Order)(Tillman, Lisa) (Entered: 03/09/2010)
03/10/2010	<u>40</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: NOTICE OF MOTION AND MOTION to Modify Ruling on Motion for Preliminary Injunction <u>38</u> . The following error(s) was found: Other error(s) with document(s) are specified below: Lacking statement re conference of counsel, pursuant to Local Rule 7-3. Proposed order not submitted pursuant to Local Rule 52-4.1. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need



		not take any action in response to this notice unless and until the court directs you to do so. (jp) (Entered: 03/11/2010)
03/11/2010	<u>41</u>	CORRECTED NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents <u>40</u> RE: Defendant's Notice of and Motion to Modify Ruling on Motion for Preliminary Injunction filed 3/8/2010 <u>38</u> . The following error(s) was found: Lacking statement re conference of counsel, pursuant to Local Rule 7-3. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (gk) (Entered: 03/11/2010)
03/11/2010	<u>42</u>	NOTICE OF MOTION AND Amended MOTION to Alter Judgment re Order on Motion for Preliminary Injunction,,, <u>37</u> . filed by Defendant David Maxwell-Jolly. Motion set for hearing on 4/12/2010 at 10:00 AM before Judge Christina A. Snyder. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order)(Tillman, Lisa) (Entered: 03/11/2010)
03/15/2010	<u>43</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Defendant's Amended Notice of and Motion to Modify Ruling on Motion for Preliminary Injunction filed 3/11/2010 <u>42</u> . The following error(s) was found: Incorrect event selected. The correct event is: Amendment (Motion related). Filer used the Motion to Alter Judgment event in docketing this filing, and set this Amended Notice for hearing on 4/12/2010. As the motion appears on the judge's calendar (see document number 38), the clerk has terminated this entry, only, from the calendar. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (gk) (Entered: 03/16/2010)
03/17/2010	<u>44</u>	NOTICE OF NON-OPPOSITION to Amended MOTION to Alter Judgment re Order on Motion for Preliminary Injunction,,, <u>37</u> .Amended MOTION to Alter Judgment re Order on Motion for Preliminary Injunction,,, <u>37</u> . <u>42</u> filed by Plaintiff California Hospital Association. (Keville, Jordan) (Entered: 03/17/2010)
03/17/2010	<u>45</u>	ORDER by Judge Christina A. Snyder: Upon good cause appearing, Defendants Ex Parte Application to permit the filing of a corrected declaration of Susan Flores <u>39</u> is GRANTED. (jp) (Entered: 03/18/2010)
03/26/2010	<u>46</u>	NOTICE OF APPEAL to the 9th CCA filed by Defendant David Maxwell-Jolly. (Filing Fee NOT PAID.) (Attachments: # <u>1</u> Civil Appeals Docketing Statement)(Tillman, Lisa) (Entered: 03/26/2010)
03/29/2010	<u>47</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 10-55462, 9th CCA regarding Notice of Appeal to 9th Circuit Court of Appeals <u>46</u> as to Defendant David Maxwell-Jolly. (cbr) (Entered: 03/29/2010)
03/29/2010	<u>48</u>	APPEAL FEE PAID: re Notice of Appeal to 9th Circuit Court of Appeals <u>46</u> as to Defendant David Maxwell-Jolly; Receipt Number: 134845 in the amount of \$455. (dmap) (Entered: 03/30/2010)
03/31/2010	<u>51</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>46</u> filed by David Maxwell-Jolly, CCA # 10-55462. The appeal filed March 26, 2010, is a preliminary injunction appeal. Accordingly, Ninth Circuit Rule 3-3 shall apply. If they have not already done so, within 7 calendar days after the filing date of this order, the parties shall make arrangement to obtain from the court reporter an official transcript of proceedings in the district court that will be included in the record on appeal. The briefing schedule shall proceed as follows: the opening brief and excerpts of record are due not later than April 23, 2010; the answering brief is due May 21, 2010 or 28 days after service of the opening brief, whichever is earlier; and the optional reply brief is due within 14 days after service of the answering brief. See 9th Cir. R. 3-3(b). If appellant fails to file timely the opening brief, this appeal will be dismissed automatically by the Clerk for failure to prosecute. See 9th Cir. R. 42-1. Order received in this district on 9/27/2010. (lr) (Entered: 09/28/2010)
04/05/2010	<u>49</u>	MINUTE ORDER (IN CHAMBERS) by Judge Christina A. Snyder granting <u>38</u> Motion to Modify Ruling on Motion for Preliminary Injunction (filed 3/8/10 &

		3/11/10). (pp) (Entered: 04/07/2010)
04/15/2010	<u>50</u>	TRANSCRIPT DESIGNATION AND ORDERING FORM For Dates: February 22, 2010; Court Reporter: Laura M. Elias; Court of Appeals Case Number: 10-55462; Re: <u>46</u> (Tillman, Lisa) (Entered: 04/15/2010)
04/26/2010	<u>52</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>46</u> filed by David Maxwell-Jolly, CCA # 10-55462. Appellant's unopposed amended motion for a stay of appellate proceedings is granted in light of the pending petitions for certiorari in Independent Living Center of Southern California, Inc. v. Shewry, U.S.S.C. Case No. 09-958, and Maxwell-Jolly v. California Pharmacists Ass'n, U.S.S.C. Case No. 09-115. Within 90 days from the date of this order, or upon resolution of the petitions for certiorari, whichever is sooner, appellant shall file a status report or a motion for appropriate relief. Briefing is stayed until further order of this court. Order received in this district on 9/27/2010. (lr) (Entered: 09/28/2010)
07/27/2010	<u>53</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>46</u> filed by David Maxwell-Jolly, CCA # 10-55462. Appellant's motion for a continued stay of appellate proceedings is granted in light of the pending petitions for certiorari in Independent Living Center of Southern California, Inc. v. Shewy, U.S. Sup. Ct. Case No. 09-958, and Maxwell-Jolly v. California Pharmacists Ass'n, U.S. Sup. Ct. Case No. 09-115. Within 90 days from the date of this order, or upon resolution of the petitions for certiorari, whichever is sooner, appellant shall file a status report or a motion for appropriate relief. Briefing is stayed until further order of this court. Order received in this district on 9/27/2010. (lr) (Entered: 09/28/2010)
06/01/2011	<u>54</u>	MINUTE ORDER IN CHAMBERS by Judge Christina A. Snyder: This action is hereby removed from this Courts active caseload until further application by the parties or order of this Court. Counsel shall file a joint report detailing the status of the case within 30 days and every quarter thereafter until the action has been reactivated on this Courts active caseload or a stipulation for dismissal is filed. SEE ORDER. (Made JS-6. Case Terminated.) (im) (Entered: 06/03/2011)
06/30/2011	<u>55</u>	STATUS REPORT <i>Joint</i> filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 06/30/2011)
09/29/2011	<u>56</u>	STATUS REPORT <i>Joint Status Report</i> filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 09/29/2011)
12/22/2011	<u>57</u>	STATUS REPORT <i>Joint Status Report</i> filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 12/22/2011)
03/21/2012	<u>58</u>	STATUS REPORT <i>Joint Status Report</i> filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 03/21/2012)
03/30/2012	<u>59</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>46</u> filed by David Maxwell-Jolly CCA # 10-55462. Appellant's motion for a 60-day stay of proceedings in this preliminary injunction appeal is granted in part. Within 60 days after the date of this order, appellant shall file the opening brief or a motion for appropriate relief. If appellant files the opening brief, the answering brief is due 28 days after service of the opening brief, and the optional reply brief is due within 14 days after service of the answering brief. Order received in this district on 3/30/2012. (dmap) (Entered: 04/03/2012)
09/19/2012	<u>60</u>	STATUS REPORT <i>Joint Status Report</i> filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 09/19/2012)
01/18/2013	<u>61</u>	STATUS REPORT <i>Joint Status Report</i> filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 01/18/2013)
06/24/2013	<u>62</u>	STATUS REPORT <i>Joint</i> filed by Defendant David Maxwell-Jolly. (Tillman, Lisa) (Entered: 06/24/2013)
11/05/2013	<u>63</u>	MINUTES (IN CHAMBERS) STAY OF PROCEEDINGS by Judge Christina A. Snyder: By order dated 7/8/2013, the Court directed the parties in these matters to submit a joint status report. Dkt. #242, in case no. 2:11-CV-09688-CAS(MANx). The joint status report was filed on 7/23/2013. Dkt. #243, in case no. 2:11-CV-09688-CAS(MANx). The Court has reviewed the parties' positions set forth

		therein, as well as the issues presented by the petition for writ of certiorari now pending in the United States Supreme Court, see Supreme Court Docket No. 13–253. Based on the foregoing, the Court finds that there is good cause to stay the proceedings or, if applicable, to continue the existing stay of the proceedings in the above–entitled cases, pending notification from this Court. The parties are directed to file a joint status report with this Court within 14 days after the Supreme Court has taken any action with respect to the above–referenced petition for writ of certiorari. Court Reporter: Not Present. (gk) (Entered: 11/06/2013)
12/19/2013	<u>64</u>	STATUS REPORT <i>JOINT STATUS REPORT</i> filed by Defendant David Maxwell–Jolly. (Tillman, Lisa) (Entered: 12/19/2013)
05/12/2014	<u>65</u>	STATUS REPORT ( <i>Joint</i> ) filed by Defendant David Maxwell–Jolly. (Tillman, Lisa) (Entered: 05/12/2014)
05/28/2014	<u>66</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>46</u> filed by David Maxwell–Jolly, CCA # 10–55462. Pursuant to the parties' joint request for dismissal, these appeals are voluntarily dismissed. Fed. R. App. P. 42(b). The parties shall bear their own costs and fees on appeal. A copy of this order shall serve as and for the mandate of this court. Order received in this district on 5/28/14. (mat) (Entered: 05/30/2014)
08/19/2014	<u>67</u>	NOTICE OF MOTION AND Joint MOTION for Settlement Approval of AGREEMENT filed by Petitioner California Hospital Association. Motion set for hearing on 9/22/2014 at 10:00 AM before Judge Christina A. Snyder. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Declaration, # <u>3</u> Proposed Order)(Keville, Jordan) (Entered: 08/19/2014)
08/28/2014	<u>68</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Susan Marie Carson counsel for Defendant David Maxwell–Jolly. Adding Susan M. Carson as attorney as counsel of record for Toby Douglas, Director DHCS for the reason indicated in the G–123 Notice. Filed by Defendant Toby Douglas, Director of the Department of Health Care Services, State of California. (Attorney Susan Marie Carson added to party David Maxwell–Jolly(pty:dft))(Carson, Susan) (Entered: 08/28/2014)
09/22/2014	<u>69</u>	MINUTES OF MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT <u>67</u> hearing held before Judge Christina A. Snyder. The Court confers with counsel. The Court grants the above–referenced motion. The Court will issue the Proposed Order Granting Joint Motion for Approval of Settlement Agreement forthwith. Court Reporter: Laura Elias. (lom) (Entered: 09/25/2014)
09/22/2014	<u>70</u>	ORDER GRANTING JOINT MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT <u>67</u> by Judge Christina A. Snyder. (lom) (Entered: 09/25/2014)
03/31/2015	<u>71</u>	NOTICE filed by Plaintiff California Hospital Association. <i>re Settlement Effective Date</i> (Cannizzo, Craig) (Entered: 03/31/2015)
04/13/2015	<u>72</u>	<i>NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO FED.R.CIV. PRO. 41(a)(1)</i> (Keville, Jordan) (Entered: 04/13/2015)
04/20/2015	<u>73</u>	NOTICE OF ERRATA AND WITHDRAWAL OF VOLUNTARY DISMISSAL filed by Plaintiff California Hospital Association. (Keville, Jordan) (Entered: 04/20/2015)
04/21/2015	<u>74</u>	STIPULATION for Hearing re Motions for Attorneys' Fees filed by Plaintiff California Hospital Association. (Attachments: # <u>1</u> Proposed Order Re Briefing Schedule for Motions for Attorneys' Fees)(Keville, Jordan) (Entered: 04/21/2015)
04/22/2015	<u>75</u>	NOTICE OF MOTION AND Joint MOTION to Dismiss Case filed by Plaintiff California Hospital Association. (Attachments: # <u>1</u> Memorandum of Points and Authorities iso Application for Voluntary Dismissal, # <u>2</u> Declaration of Craig J. Cannizzo iso Application for Voluntary Dismissal, # <u>3</u> Proposed Order Dismissing Action)(Attorney Craig J Cannizzo added to party California Hospital Association(pty:pla))(Cannizzo, Craig) (Entered: 04/22/2015)
04/23/2015	<u>76</u>	ORDER ON PLAINTIFFS' EX PARTE APPLICATION FOR DISMISSAL OF ACTION by Judge Christina A. Snyder: Upon Plaintiff's Ex Parte Application <u>75</u> , IT IS HEREBY ORDERED that, pursuant to Federal Rule of Civil Procedure 41(a)(2), Case No. CV 09–8642 is hereby dismissed with prejudice, each party to bear its own



		<p>costs in accordance with Part III.A.3 of the Settlement Agreement of the parties on file herein, with the Court retaining jurisdiction, pursuant to Parts III.A.3 and III.D.17 of the Settlement Agreement, to entertain any application for attorneys' fees as described in Part III.C. of the Settlement Agreement, and for purposes of enforcement of the Settlement Agreement by any parties in the within action, up to and including 1/1/2016. (gk) (Entered: 04/24/2015)</p>
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