

(SSx), CLOSED, DISCOVERY

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
(Eastern Division – Riverside)
CIVIL DOCKET FOR CASE #: 5:09-cv-00688-JZ -SS**

Kevon Gordon et al v. City of Moreno Valley et al
Assigned to: Judge Jack Zouhary
Referred to: Magistrate Judge Suzanne H. Segal
Cause: 42:1983 Civil Rights Act

Date Filed: 04/08/2009
Date Terminated: 11/09/2010
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Kevon Gordon

represented by **Mark D Rosenbaum**
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Plaintiff

Ronald Jones

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Peter Bibring
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Stacy D Shartin
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Plaintiff

Raymond Barnes

represented by **Mark D Rosenbaum**
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Plaintiff

Quincy Brown

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Rishi Puri
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Stacy D Shartin
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V.

Defendant

City of Moreno Valley
a Municipal Corporation

represented by **Michael A Bell**
LaFollette Johnson DeHaas Fesler and
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Peter Bibring
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Robert Dakin Herrick
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Defendant

Rick Hall
Chief of the Moreno Valley Police
Department, in his official capacity

represented by **Christopher D Lockwood**
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Peter Bibring
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Defendant

Kristy Underwood
*Executive Officer of the California Board
of Barbering and Cosmetology, in her
official capacity*
TERMINATED: 12/18/2009

represented by **Diane Elisabeth De Kervor**
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Peter Bibring
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Sheriff Stan Sniff
*Riverside County Sheriff, in his official
capacity*

represented by **Christopher D Lockwood**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John M Porter
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter Bibring
(See above for address)
TERMINATED: 03/30/2010

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Does
1-20

represented by **Peter Bibring**
(See above for address)
*TERMINATED: 03/30/2010
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

County of Riverside

represented by **Christopher D Lockwood**
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Peter Bibring
(See above for address)
*TERMINATED: 03/30/2010
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Tony Heisterberg
in his individual capacity

represented by **Michael A Bell**
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*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

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Timothy Towery Coates
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Dennis Longdyke
in his individual capacity

represented by **Michael A Bell**
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*LEAD ATTORNEY
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Michael Anthony Brown
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Robert Leroy Hansen
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Timothy Towery Coates
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Defendant

Lori Miller
in her individual capacity

represented by **Michael A Bell**
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Michael Anthony Brown
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Robert Leroy Hansen
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Timothy Towery Coates
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Defendant

Seth Harnett
in his individual capacity

represented by **Christopher D Lockwood**
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LEAD ATTORNEY
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Peter Bibring
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Defendant

Robert Duckett
in his individual capacity

represented by **Christopher D Lockwood**
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LEAD ATTORNEY
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Peter Bibring
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LEAD ATTORNEY
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Defendant

Mario Herrera
in his individual capacity

represented by **Christopher D Lockwood**
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Peter Bibring
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Defendant

Eric Brewer

represented by **Christopher D Lockwood**
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ATTORNEY TO BE NOTICED

Peter Bibring
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Defendant

Anthony Johnson, –
in his individual capacity

represented by **Christopher D Lockwood**
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Peter Bibring
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LEAD ATTORNEY
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Defendant

Christopher Gastinger
in his individual capacity

represented by **Christopher D Lockwood**
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ATTORNEY TO BE NOTICED

Peter Bibring
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Richard Hutson
in his individual capacity

represented by **Christopher D Lockwood**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter Bibring
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Defendant

Joe Brown, –
in his individual capacity
TERMINATED: 07/23/2010

represented by **Peter Bibring**
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Defendant

Xochi Carmargo
individual capacity
TERMINATED: 07/23/2010

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Richard F Wolfe
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Arlene Bauby
in her individual capacity
TERMINATED: 07/23/2010

represented by **Peter Bibring**
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LEAD ATTORNEY
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Richard F Wolfe
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/08/2009	<u>1</u>	COMPLAINT against defendants City of Moreno Valley, Rick Hall, Kristy Underwood, Stan Sniff, Does.(Filing fee \$ 350) Jury demanded., filed by plaintiffs Raymond Barnes, Kevon Gordon, Ronald Jones.(mrgo) (Additional attachment(s) added on 4/9/2009: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> CV-18) (mrgo). (Entered: 04/09/2009)
04/08/2009		20 DAY Summons Issued re Complaint – (Discovery) <u>1</u> as to defendants City of Moreno Valley, Rick Hall, Kristy Underwood, Stan Sniff, Does. (mrgo) (Entered: 04/09/2009)
04/08/2009	<u>2</u>	NOTICE of Interested Parties filed by plaintiffs Raymond Barnes, Kevon Gordon, Ronald Jones, (mrgo) (mrgo). (Entered: 04/09/2009)
04/14/2009	<u>3</u>	STANDING ORDER by Judge Stephen G. Larson, READ THIS ORDER CAREFULLY. IT CONTROLS THE CASE AND DIFFERS IN SOME RESPECTS FROM THE LOCAL RULES. (am) (Entered: 04/15/2009)
04/16/2009	<u>4</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Ronald Jones, upon Rick Hall served on 4/13/2009, answer due 5/3/2009. The Summons and Complaint were served by Personal service, by FRCP rule 4 statute, upon Rocio Foster, Subpoena Clerk. Due Dilligence declaration No. Original Summons Not returned. (Bibring, Peter) (Entered: 04/16/2009)
04/16/2009	<u>5</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Ronald Jones, upon City of Moreno Valley served on 4/13/2009, answer due 5/3/2009. The Summons and Complaint were served by Personal service, by FRCP Rule 4 statute, upon Meg Itagaki, Sr. Office Assistant. Due Dilligence declaration No. Original Summons Not returned. (Bibring, Peter) (Entered: 04/16/2009)
04/16/2009	<u>6</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Ronald Jones, upon Stan Sniff served on 4/13/2009, answer due 5/3/2009. The Summons and Complaint were served by Personal service, by FRCP Rule 4 statute, upon Lester Harvey. Due Dilligence declaration No. Original Summons Not returned. (Bibring, Peter) (Entered: 04/16/2009)
04/16/2009	<u>7</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Ronald Jones, upon <i>Moreno Valley Police Department</i> The Summons and Complaint were served by Personal service, by FRCP Rule 4 statute, upon Rocio Foster, Subpoena Clerk. Due Dilligence declaration No. Original Summons Not returned. (Bibring, Peter) (Entered: 04/16/2009)
04/20/2009	<u>8</u>	PROOF OF SERVICE Executed Raymond Barnes, Kevon Gordon, Ronald Jones, upon Kristy Underwood served on 4/10/2009, answer due 4/30/2009. The Summons and Complaint were served by Personal service, by FRCP Rule 4 statute, upon Teresa Rieker, Assistant to Kristy Underwood. Due Dilligence declaration No. Original Summons Not Returned. (Bibring, Peter) (Entered: 04/20/2009)
04/29/2009	<u>9</u>	NOTICE of Appearance filed by attorney Diane Elisabeth De Kervor on behalf of Defendant Kristy Underwood (De Kervor, Diane) (Entered: 04/29/2009)
04/29/2009	<u>10</u>	STIPULATION for Extension of Time to File Answer, FIRST STIPULATION Extending Time to Answer the complaint as to Kristy Underwood answer now due 5/26/2009, filed by Defendant Kristy Underwood.(De Kervor, Diane) (Entered: 04/29/2009)
04/30/2009	<u>11</u>	NOTICE of Appearance filed by attorney Christopher D Lockwood on behalf of Defendants Rick Hall, Stan Sniff (Lockwood, Christopher) (Entered: 04/30/2009)
04/30/2009	<u>12</u>	NOTICE of Appearance filed by attorney Michael A Bell on behalf of Defendant City of Moreno Valley (Bell, Michael) (Entered: 04/30/2009)
04/30/2009	<u>13</u>	FIRST STIPULATION Extending Time to Answer the complaint as to City of Moreno Valley answer now due 5/26/2009, filed by Defendant City of Moreno Valley.(Bell, Michael) (Entered: 04/30/2009)

04/30/2009	<u>14</u>	FIRST STIPULATION Extending Time to Answer the complaint as to Rick Hall answer now due 5/26/2009; Stan Sniff answer now due 5/26/2009, filed by defendants Rick Hall; Stan Sniff.(Lockwood, Christopher) (Entered: 04/30/2009)
05/22/2009	<u>15</u>	FIRST AMENDED COMPLAINT against defendants County of Riverside, Tony Heisterberg, Dennis Longdyke, Lori Miller, Seth Harnett, Robert Duckett, Mario Herrera, Eric Brewer, Anthony Johnson, Christopher Gastinger, Richard Hutson, Joe Brown, Xochi Carmargo, Arlene Bauby, Quincy Brown. Amending Complaint – (Discovery), Complaint – (Discovery), <u>1</u> , filed by plaintiffs Quincy Brown, Raymond Barnes, Kevon Gordon, and Ronald Jones. (gg) (Entered: 05/26/2009)
06/05/2009	<u>16</u>	NOTICE OF MOTION AND MOTION to Dismiss first amended complaint filed by defendants Rick Hall, Stan Sniff, County of Riverside. Motion set for hearing on 7/6/2009 at 10:00 AM before Judge Stephen G. Larson. (Lockwood, Christopher) (Entered: 06/05/2009)
06/09/2009	<u>17</u>	ANSWER to Amended Complaint, <u>15</u> filed by Defendant City of Moreno Valley.(Bell, Michael) (Entered: 06/09/2009)
06/09/2009	<u>18</u>	NOTICE of Interested Parties filed by Defendant City of Moreno Valley, (Bell, Michael) (Entered: 06/09/2009)
06/10/2009	<u>19</u>	NOTICE of interested parties filed by defendants Rick Hall, Stan Sniff, County of Riverside. (Lockwood, Christopher) (Entered: 06/10/2009)
06/10/2009	<u>20</u>	NOTICE of Change of Attorney Information for attorney Rishi Puri counsel for Plaintiffs Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones. Changing Address to 2029 Century Park East, Suite 3500. Filed by Co-Counsel for Plaintiffs Rishi Puri (Puri, Rishi) (Entered: 06/10/2009)
06/11/2009	<u>21</u>	NOTICE OF MOTION AND MOTION to Dismiss First Amended Complaint filed by Defendant Kristy Underwood. Motion set for hearing on 7/13/2009 at 10:00 AM before Judge Stephen G. Larson. (Attachments: # <u>1</u> Proposed Order)(De Kervor, Diane) (Entered: 06/11/2009)
06/11/2009	<u>22</u>	MEMORANDUM in Support of MOTION to Dismiss First Amended Complaint <u>21</u> filed by Defendant Kristy Underwood. (De Kervor, Diane) (Entered: 06/11/2009)
06/11/2009	<u>23</u>	Notice of Interested Parties filed by Defendant Kristy Underwood, (De Kervor, Diane) (Entered: 06/11/2009)
06/11/2009	<u>24</u>	CERTIFICATE OF SERVICE filed by Defendant Kristy Underwood, re Memorandum in Support of Motion <u>22</u> , MOTION to Dismiss First Amended Complaint <u>21</u> , Certificate/Notice of Interested Parties <u>23</u> served on 06/11/09. (De Kervor, Diane) (Entered: 06/11/2009)
06/11/2009	<u>25</u>	ANSWER to Amended Complaint, <u>15</u> JURY DEMAND. filed by Defendant Kristy Underwood.(De Kervor, Diane) (Entered: 06/11/2009)
06/11/2009	<u>26</u>	CERTIFICATE OF SERVICE filed by Defendant Kristy Underwood, re Answer to Complaint <u>25</u> served on 06/11/09. (De Kervor, Diane) (Entered: 06/11/2009)
06/11/2009	<u>27</u>	JOINDER in MOTION to Dismiss First Amended Complaint <u>21</u> filed by Defendants Rick Hall, Stan Sniff, County of Riverside. (Lockwood, Christopher) (Entered: 06/11/2009)
06/12/2009	<u>28</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Title pae is missing. RE: Proof of Service (subsequent documents) <u>24</u> , Proof of Service (subsequent documents) <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. (am) (Entered: 06/12/2009)
06/17/2009	<u>29</u>	SCHEDULING MEETING OF COUNSEL, ORDER Pursuant to FRCP 16,26(f) by Judge Stephen G. Larson: Scheduling Conference set for 8/31/2009 01:30 PM. (ad) (Entered: 06/18/2009)

06/18/2009	<u>30</u>	ANSWER to Amended Complaint, <u>15</u> filed by defendants Rick Hall, Stan Sniff, County of Riverside.(Lockwood, Christopher) (Entered: 06/18/2009)
06/18/2009	<u>31</u>	STIPULATION to Continue motion to dismiss from 7/6/09 to 7/13/09 Re: MOTION to Dismiss first amended complaint <u>16</u> filed by defendants Rick Hall, Stan Sniff, County of Riverside. (Attachments: # <u>1</u> Proposed Order)(Lockwood, Christopher) (Entered: 06/18/2009)
06/23/2009	<u>32</u>	ANSWER to Amended Complaint, <u>15</u> filed by defendants Seth Harnett, Robert Duckett, Mario Herrera, Eric Brewer, Anthony Johnson, Christopher Gastinger, Richard Hutson.(Lockwood, Christopher) (Entered: 06/23/2009)
06/23/2009	<u>33</u>	JOINDER in MOTION to Dismiss First Amended Complaint <u>21</u> filed by Defendants Seth Harnett, Robert Duckett, Mario Herrera, Eric Brewer, Anthony Johnson, Christopher Gastinger, Richard Hutson. (Lockwood, Christopher) (Entered: 06/23/2009)
06/23/2009	<u>34</u>	OPPOSITION OPPOSITION re: MOTION to Dismiss First Amended Complaint <u>21</u> filed by Plaintiffs Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones. (Puri, Rishi) (Entered: 06/23/2009)
06/24/2009	<u>35</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, upon County of Riverside served on 6/12/2009, answer due 7/2/2009. The Summons and Complaint were served by Personal Service service, by FRCP Rule 4 statute, upon Maria Vasquez, City Clerk. Due Dilligence declaration No. Original Summons not returned with POS. (Bibring, Peter) (Entered: 06/24/2009)
06/24/2009	<u>36</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones, upon Eric Brewer served on 6/16/2009, answer due 7/6/2009. The Summons and Complaint were served by Substituted Service service, by FRCP Rule 4 statute, upon Lester Harvey, Investigator. Due Dilligence declaration yes. Original Summons not returned with POS. (Attachments: # <u>1</u> Exhibit POS by Mail, # <u>2</u> Affidavit)(Bibring, Peter) (Entered: 06/24/2009)
06/24/2009	<u>37</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones, upon Dennis Longdyke served on 6/15/2009, answer due 7/5/2009. The Summons and Complaint were served by Substituted Service service, by FRCP Rule 4 statute, upon Jane Halsted, City Clerk. Due Dilligence declaration yes. Original Summons Not returned with POS. (Attachments: # <u>1</u> Exhibit POS by Mail, # <u>2</u> Affidavit)(Bibring, Peter) (Entered: 06/24/2009)
06/24/2009	<u>38</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones, upon Lori Miller served on 6/15/2009, answer due 7/5/2009. The Summons and Complaint were served by Substituted Service service, by FRCP Rule 4 statute, upon Jane Halsted, City Clerk. Due Dilligence declaration attached. Original Summons not returned with POS. (Attachments: # <u>1</u> Exhibit POS by Mail, # <u>2</u> Affidavit)(Bibring, Peter) (Entered: 06/24/2009)
06/24/2009	<u>39</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones, upon Richard Hutson served on 6/16/2009, answer due 7/6/2009. The Summons and Complaint were served by substituted service service, by FRCP Rule 4 statute, upon Lester Harvey, Investigator. Due Dilligence declaration attached. Original Summons Not returned with POS. (Attachments: # <u>1</u> Exhibit POS by Mail, # <u>2</u> Affidavit)(Bibring, Peter) (Entered: 06/24/2009)
06/24/2009	<u>40</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones, upon Christopher Gastinger served on 6/16/2009, answer due 7/6/2009. The Summons and Complaint were served by Substituted Service service, by FRCP Rule 4 statute, upon Lester Harvey, Investigator. Due Dilligence declaration attached. Original Summons not returned with POS. (Attachments: # <u>1</u> Exhibit POS by Mail, # <u>2</u> Affidavit)(Bibring, Peter) (Entered: 06/24/2009)
06/24/2009	<u>41</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones, upon Mario Herrera served on 6/16/2009, answer due 7/6/2009. The Summons and Complaint were served by Substituted Service service, by FRCP Rule 4 statute, upon Lester Harvey, Investigator. Due Dilligence

		declaration attached. Original Summons not returned with POS. (Attachments: # <u>1</u> Exhibit POS by Mail, # <u>2</u> Affidavit)(Bibring, Peter) (Entered: 06/24/2009)
06/24/2009	<u>42</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones, upon Anthony Johnson served on 6/16/2009, answer due 7/6/2009. The Summons and Complaint were served by Substituted Service service, by FRCP Rule 4 statute, upon Lester Harvey, Investigator. Due Dilligence declaration attached. Original Summons not returned with POS. (Attachments: # <u>1</u> Exhibit POS by Mail, # <u>2</u> Affidavit)(Bibring, Peter) (Entered: 06/24/2009)
06/24/2009	<u>43</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones, upon Robert Duckett served on 6/16/2009, answer due 7/6/2009. The Summons and Complaint were served by Substituted Service service, by FRCP Rule 4 statute, upon Lester Harvey, Investigator. Due Dilligence declaration attached. Original Summons Not returned with POS. (Attachments: # <u>1</u> Exhibit POS by Mail, # <u>2</u> Affidavit)(Bibring, Peter) (Entered: 06/24/2009)
06/24/2009	<u>44</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones, upon Seth Harnett served on 6/16/2009, answer due 7/6/2009. The Summons and Complaint were served by Substituted Service service, by FRCP Rule 4 statute, upon Lester Harvey, Investigator. Due Dilligence declaration attached. Original Summons Not returned with POS. (Attachments: # <u>1</u> Exhibit POS by Mail, # <u>2</u> Affidavit)(Bibring, Peter) (Entered: 06/24/2009)
06/24/2009	<u>45</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Local Rule 7.1-1 No Certification of Interested Parties and/or no copies RE: Answer to Complaint <u>32</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. (am) (Entered: 06/24/2009)
06/24/2009	<u>46</u>	OPPOSITION to MOTION to Dismiss first amended complaint <u>16</u> filed by Plaintiffs Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones. (Bibring, Peter) (Entered: 06/24/2009)
06/25/2009	<u>47</u>	<i>Notice</i> of Interested Parties filed by defendants Seth Harnett, Robert Duckett, Mario Herrera, Eric Brewer, Anthony Johnson, Christopher Gastinger, Richard Hutson, (Lockwood, Christopher) (Entered: 06/25/2009)
06/25/2009	<u>48</u>	ORDER by Judge Stephen G. Larson, Re MOTION to Dismiss by Defendants Sniff and Hall <u>21</u> : it is ordered that the motion to dismiss filed by defendants Sniff and Hall is continued to 8/10/2009 at 10:00 AM. It is further ordered that the briefing schedule for the motion is: Plaintiffs will file their opposition to the Motion to Dismiss by June 24, 2009. Defendants Sniff and Hall will file their reply to plaintiffs' opposition by July 2, 2009. (ad) (Entered: 06/25/2009)
06/26/2009	<u>49</u>	REPLY in support of MOTION to Dismiss first amended complaint <u>16</u> filed by Defendants Rick Hall, Stan Sniff, County of Riverside. (Lockwood, Christopher) (Entered: 06/26/2009)
07/01/2009	<u>50</u>	REPLY in support of MOTION to Dismiss First Amended Complaint <u>21</u> filed by Defendant Kristy Underwood. (De Kervor, Diane) (Entered: 07/01/2009)
07/02/2009	<u>51</u>	RESPONSE BY THE COURT TO NOTICE TO FILER OF DEFICIENCIES IN ELECTRONICALLY FILED DOCUMENTS and ORDER by Clerk of Court. The document is accepted as filed RE: Answer to Complaint <u>32</u> . (mrgo) (Entered: 07/06/2009)
07/06/2009	<u>52</u>	NOTICE of Appearance filed by attorney Michael Anthony Brown on behalf of Defendants Dennis Longdyke, Lori Miller (Brown, Michael) (Entered: 07/06/2009)
07/06/2009	<u>53</u>	<i>Notice</i> of Interested Parties filed by Defendants Dennis Longdyke, Lori Miller, identifying City of Moreno Valley. (Brown, Michael) (Entered: 07/06/2009)
07/06/2009	<u>54</u>	NOTICE OF MOTION AND MOTION to Dismiss First Amended Complaint filed by Defendants Dennis Longdyke, Lori Miller. Motion set for hearing on 8/17/2009 at 10:00 AM before Judge Stephen G. Larson. (Brown, Michael) (Entered: 07/06/2009)

07/06/2009	<u>55</u>	NOTICE OF LODGING filed re MOTION to Dismiss First Amended Complaint <u>54</u> (Brown, Michael) (Entered: 07/06/2009)
07/09/2009	<u>56</u>	MINUTES OF IN CHAMBERS ORDER held before Judge Stephen G. Larson re: MOTION to Dismiss First Amended Complaint <u>21</u> , and MOTION to Dismiss first amended complaint <u>16</u> . In the interest of judicial economy, the above-mentioned motions are continued to August 17, 2009, at 10:00 a.m.(Motion set for hearing on 8/17/2009 at 10:00 AM before Judge Stephen G. Larson.) (mrgo) (Entered: 07/09/2009)
07/21/2009	<u>57</u>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones. upon Joe Brown waiver sent by Plaintiff on 6/9/2009, answer due 8/8/2009. Waiver of Service signed by Richard Wolfe. (Bibring, Peter) (Entered: 07/21/2009)
07/21/2009	<u>58</u>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones. upon Xochi Carmargo waiver sent by Plaintiff on 6/9/2009, answer due 8/8/2009. Waiver of Service signed by Richard Wolfe. (Bibring, Peter) (Entered: 07/21/2009)
07/21/2009	<u>59</u>	WAIVER OF SERVICE Returned Executed filed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones. upon Arlene Bauby waiver sent by Plaintiff on 6/9/2009, answer due 8/8/2009. Waiver of Service signed by Richard Wolfe. (Bibring, Peter) (Entered: 07/21/2009)
08/03/2009	<u>60</u>	Opposition Opposition re: MOTION to Dismiss First Amended Complaint <u>54</u> <i>By Longdyke and Miller</i> filed by Plaintiffs Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones. (Bibring, Peter) (Entered: 08/03/2009)
08/07/2009	<u>61</u>	ANSWER to Amended Complaint, <u>15</u> <i>Answer to First Amended Complaint, and Demand for Jury</i> filed by Defendants Joe Brown, Xochi Carmargo, Arlene Bauby.(Wolfe, Richard) (Entered: 08/07/2009)
08/07/2009	<u>62</u>	JOINDER in MOTION to Dismiss First Amended Complaint <u>21</u> <i>Joinder of Defendants Brown, Camargo, and Bauby in Defendant Underwood's Motion to Dismiss First Amended Complaint</i> filed by Defendants Joe Brown, Xochi Carmargo, Arlene Bauby. (Wolfe, Richard) (Entered: 08/07/2009)
08/07/2009	<u>63</u>	NOTICE filed by Defendants Joe Brown, Xochi Carmargo, Arlene Bauby. <i>Notice of Interested Parties</i> (Wolfe, Richard) (Entered: 08/07/2009)
08/10/2009	<u>64</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 NOTICES/Certificate of Interested Parties. RE: Notice (Other) <u>63</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. (am) (Entered: 08/10/2009)
08/10/2009	<u>65</u>	REPLY in support of MOTION to Dismiss First Amended Complaint <u>54</u> filed by Defendants Dennis Longdyke, Lori Miller. (Brown, Michael) (Entered: 08/10/2009)
08/11/2009	<u>66</u>	NOTICE of Appearance filed by attorney Michael A Bell on behalf of Defendant Tony Heisterberg (Bell, Michael) (Entered: 08/11/2009)
08/11/2009	<u>67</u>	STIPULATION for Joinder in MOTION to Dismiss First Amended Complaint <u>54</u> filed by defendant Tony Heisterberg. (Attachments: # <u>1</u> Proposed Order)(Bell, Michael) (Entered: 08/11/2009)
08/12/2009	<u>68</u>	RESPONSE BY THE COURT TO NOTICE TO FILER OF DEFICIENCIES IN ELECTRONICALLY FILED DOCUMENTS and ORDER by Clerk of Court. The document is accepted as filed RE: Notice (Other) <u>63</u> . (mrgo) (Entered: 08/12/2009)
08/14/2009	<u>69</u>	NOTICE of Change of Attorney Information for attorney William A Buess counsel for Defendant Kristy Underwood. Adding William A. Buess as attorney as counsel of record for Kristy Underwood for the reason indicated in the G-06 Notice. Filed by Defendant Kristy Underwood (Buess, William) (Entered: 08/14/2009)

08/14/2009	<u>70</u>	JOINT REPORT Rule 26(f) Discovery Plan ; estimated length of trial 10 days, filed by Plaintiffs Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones, Defendants City of Moreno Valley, Rick Hall, Kristy Underwood, Stan Sniff, Does, County of Riverside, Tony Heisterberg, Dennis Longdyke, Lori Miller, Seth Harnett, Robert Duckett, Mario Herrera, Eric Brewer, Anthony Johnson, Christopher Gastinger, Richard Hutson, Joe Brown, Xochi Carmargo, Arlene Bauby.. (Bibring, Peter) (Entered: 08/14/2009)
08/17/2009	<u>73</u>	MINUTES OF Motion Hearing held before Judge Stephen G. Larson RE: MOTION to Dismiss First Amended Complaint <u>21</u> , MOTION to Dismiss First Amended Complaint <u>54</u> , and MOTION to Dismiss first amended complaint <u>16</u> . Court hears oral argument and takes the matter under submission. Court Reporter: Maria Bustillos. (mrگو) (Entered: 08/20/2009)
08/19/2009	<u>71</u>	PROOF OF SERVICE Executed by Plaintiff Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones, upon Tony Heisterberg served on 8/6/2009, answer due 8/26/2009. The Summons and Complaint were served by Substituted service, by FRCP Rule 4 statute, upon Tim Heisterberg. Due Dilligence declaration is attached. Original Summons not returned. (Attachments: # <u>1</u> Exhibit Proof of Mail Service, # <u>2</u> Affidavit Reasonable Diligence)(Bibring, Peter) (Entered: 08/19/2009)
08/20/2009	<u>72</u>	ORDER PERMITTING DEFENDANT TONY HEISTERBERG TO JOIN IN THE MOTION OF DEFENDANTS DENNIS LONGDYKE AND LORI MILLER TO DISMISS PLAINTIFFS FIRST AMENDED COMPLAINT PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 12(b)(6) by Judge Stephen G. Larson, re Stipulation for Joinder <u>67</u> . IT IS ORDERED that defendant TONY HEISTERBERG may join in the pending motion of defendants DENNIS LONGDYKE (LONGDYKE) and LORI MILLER (MILLER) to dismiss plaintiffs First Amended Complaint (FAC) as his responsive pleading to the FAC by filing a Notice of Joinder of said motion. IT IS HEREBY FURTHER ORDERED that neither plaintiffs nor defendant TONY HEISTERBERG may file any additional papers in favor of, or in opposition to, the pending motion to dismiss filed by LONGDYKE and MILLER. (mrگو) (Entered: 08/20/2009)
08/21/2009	<u>74</u>	JOINDER in MOTION to Dismiss First Amended Complaint <u>54</u> filed by Defendants City of Moreno Valley, Tony Heisterberg, Dennis Longdyke, Lori Miller. (Bell, Michael) (Entered: 08/21/2009)
08/31/2009	<u>75</u>	ORDER by Judge Stephen G. Larson: denying defendant's <u>21</u> Motion to Dismiss ; granting defendant's <u>54</u> Motion to Dismiss but with leave to amend; holding in abeyance ruling on defendant's <u>16</u> Motion to Dismiss pending completion of jurisdictional discovery. Plaintiffs are afforded leave to amend their complaint within the next thirty (30) days. (See document for further specifics) (mrگو) (Entered: 08/31/2009)
08/31/2009	<u>76</u>	MINUTES OF Scheduling Conference not held before Judge Stephen G. Larson. Court and counsel meet and confer regarding status of the case. Court clarifies its order of August 31, 2009, stating that counsel should focus on discovery related to the jurisdictional issue; however, nothing in the Courts order should be taken to suggest that it excludes other areas of discovery to the extent that judicial or litigation economy would not be served. Court Reporter: Theresa Lanza. (mrگو) (Entered: 09/04/2009)
11/04/2009	<u>77</u>	TRANSCRIPT for proceedings held on Monday, August 31, 2009; 1:53 PM. Court Reporter: Theresa Lanza, phone number www.theresalanza.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 11/25/2009. Redacted Transcript Deadline set for 12/5/2009. Release of Transcript Restriction set for 2/2/2010. (Lanza, Theresa) (Entered: 11/04/2009)
11/04/2009	<u>78</u>	NOTICE OF FILING TRANSCRIPT filed for proceedings Monday, August 31, 2009; 1:53 PM (Lanza, Theresa) (Entered: 11/04/2009)
11/10/2009	<u>79</u>	Joint STIPULATION to Extend Discovery Cut-Off Date to 01/22/2010 filed by Plaintiff Raymond Barnes, City of Moreno Valley, Kevon Gordon, Rick Hall,

		Kristy Underwood, Stan Sniff, Does, Quincy Brown, County of Riverside, Tony Heisterberg, Dennis Longdyke, Lori Miller, Seth Harnett, Robert Duckett, Mario Herrera, Ronald Jones, Eric Brewer, Anthony Johnson, Christopher Gastinger, Richard Hutson, Joe Brown, Xochi Carmargo, Arlene Bauby. (Attachments: # <u>1</u> Proposed Order)(Bibring, Peter) (Entered: 11/10/2009)
11/16/2009	<u>80</u>	ORDER by Judge Justin L. Quackenbush, re Stipulation to Extend Discovery Cut-Off Date, <u>79</u> . (Jurisdictional Discovery cut-off extended to 1/22/2010.) (mrgo) (Entered: 11/17/2009)
12/17/2009	<u>81</u>	STIPULATION to Dismiss Defendant Kristy Underwood filed by Plaintiff Raymond Barnes, Kevon Gordon, Kristy Underwood, Quincy Brown, Ronald Jones. (Attachments: # <u>1</u> Exhibit Settlement, # <u>2</u> Proposed Order)(Bibring, Peter) (Entered: 12/17/2009)
12/18/2009	<u>82</u>	ORDER by Judge Virginia A. Phillips, re Stipulation to Dismiss Party <u>81</u> . This Court ORDERS that all plaintiffs' claims against defendant Kristy Underwood be dismissed with prejudice. (mrgo) (Entered: 12/21/2009)
12/23/2009	<u>83</u>	NOTICE OF MOTION AND MOTION to Dismiss First Cause of Action to First Amended Complaint as to Defendants Heisterberg, Miller and Longdyke filed by DEFENDANTS Tony Heisterberg, Dennis Longdyke, Lori Miller. Motion set for hearing on 1/25/2010 at 10:00 AM before Judge Stephen G. Larson. (Attachments: # <u>1</u> Declaration of Michael Bell, # <u>2</u> Exhibit A and B, # <u>3</u> Exhibit C thru E, # <u>4</u> Exhibit F thru O, # <u>5</u> Proposed Order)(Bell, Michael) (Entered: 12/23/2009)
12/30/2009	<u>84</u>	STIPULATION to Continue Hearing Date on Defendant's Motion to Dismiss from 1/25/2010 to 2/1/2010 filed by Plaintiffs Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones. (Attachments: # <u>1</u> Proposed Order)(Bibring, Peter) (Entered: 12/30/2009)
01/04/2010	<u>85</u>	ORDER by Judge Virginia A. Phillips CONTINUING the MOTION of Defendants Heitserberg, Longyke and Miller to Dismiss Plaintiff's First Cause of Action Pursuant to FRCP 41(b), <u>83</u> : the hearing on the Motion is continued to 2/1/2010 at 10:00 AM. Plaintiffs' brief in opposition will be due Monday 1/11/2010 and defendants' reply brief will be due Tuesday 1/9/2010. IT IS SO ORDERED. (ad) (Entered: 01/06/2010)
01/08/2010	<u>86</u>	MINUTES OF IN CHAMBERS ORDER RE: MOTION HEARING held before Judge Audrey B. Collins re: MOTION to Dismiss First Cause of Action to First Amended Complaint as to Defendants Heisterberg, Miller and Longdyke <u>83</u> . The motion hearing set for January 25, 2010, at 10:00 a.m., is vacated pending reassignment and parties will be notified. Counsel are directed to follow filing procedures indicated in the existing Standing Order issued in your case until you receive notification of reassignment. (mrgo) (Entered: 01/08/2010)
01/11/2010	<u>87</u>	Opposition re: MOTION to Dismiss First Cause of Action to First Amended Complaint as to Defendants Heisterberg, Miller and Longdyke <u>83</u> filed by Plaintiffs Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones. (Attachments: # <u>1</u> Declaration)(Bibring, Peter) (Entered: 01/11/2010)
01/14/2010	<u>88</u>	EX PARTE APPLICATION for Protective Order for Precluding Plaintiffs from Deposing City of Moreno Valley Council Member William Batey filed by Defendants City of Moreno Valley, Tony Heisterberg, Dennis Longdyke, Lori Miller. (Attachments: # <u>1</u> Exhibit A through B, # <u>2</u> Exhibit C thru K, # <u>3</u> Proposed Order)(Bell, Michael) (Entered: 01/14/2010)
01/14/2010	<u>90</u>	ORDER OF THE CHIEF JUDGE (#10-007) approved by Judge Audrey B. Collins. IT IS ORDERED, with the concurrence of the Case Management and Assignment Committee, that the following case be reassigned from the calendar of Judge Stephen G. Larson to the calendar of Judge Jack Zouhary for all further proceedings. The case number will now reflect the initials of the transferee Judge EDCV 09-688 JZ (SSx). (mrgo) (Entered: 01/15/2010)
01/15/2010	<u>89</u>	MEMORANDUM in Opposition to EX PARTE APPLICATION for Protective Order for Precluding Plaintiffs from Deposing City of Moreno Valley Council Member William Batey <u>88</u> filed by Plaintiffs Raymond Barnes, Kevon Gordon,

		Quincy Brown, Ronald Jones. (Bibring, Peter) (Entered: 01/15/2010)
01/15/2010	<u>91</u>	ORDER SETTING HEARING ON DEFENDANTS EX PARTE APPLICATION FOR A PROTECTIVE ORDER by Magistrate Judge Suzanne H. Segal. The Court sets Defendants' "Ex Parte Application For A Protective Order Precluding Plaintiffs From Deposing City of Moreno Valley Council Member William H. Batey, II" for a hearing on Tuesday, January 19, 2010, at 10:00 a.m. in Courtroom 23, Spring Street Courthouse. (ag) (Entered: 01/15/2010)
01/15/2010	<u>92</u>	MINUTES OF IN CHAMBERS ORDER RE: ASSIGNMENT OF CASE held before Judge Jack Zouhary: This action has been reassigned to the HONORABLE JACK ZOUHARY, District Judge, Sitting by Designation. Please substitute the initials JZ in place of the initials SGL. The case number will now read: EDCV 09-00688-JZ. As documents are routed using the judges initials, it is important to use the correct initials on all subsequent filings. Judge Zouhary's Courtroom Deputy Clerk, Carol Bethel, can be reached at (419) 213-5679 or (419) 213-5675. (mrgo) (Entered: 01/19/2010)
01/19/2010	<u>93</u>	REPLY In Support Of MOTION to Dismiss First Cause of Action to First Amended Complaint as to Defendants Heisterberg, Miller and Longdyke <u>83</u> filed by Defendants Tony Heisterberg, Dennis Longdyke, Lori Miller. (Brown, Michael) (Entered: 01/19/2010)
01/19/2010	<u>94</u>	MEMORANDUM AND ORDER by Magistrate Judge Suzanne H. Segal DENYING CITY OF MORENO VALLEY'S EX PARTE APPLICATION FOR PROTECTIVE ORDER PRECLUDING THE DEPOSITION OF FORMER MAYOR WILLIAM H. BATEY, II (see Order for specifics). (dhl) Modified on 1/19/2010 (dhl). (Entered: 01/19/2010)
01/20/2010	<u>95</u>	OPPOSITION OPPOSITION re: MOTION to Dismiss First Cause of Action to First Amended Complaint as to Defendants Heisterberg, Miller and Longdyke <u>83</u> <i>Supplemental Declaration of Rishi Puri</i> filed by Plaintiffs Raymond Barnes, Kevon Gordon, Quincy Brown, Ronald Jones. (Puri, Rishi) (Entered: 01/20/2010)
03/29/2010	<u>96</u>	ORDER by Judge Jack Zouhary: The Court will hold a Status Phone Conference on Wednesday, March 31, 2010 at 11:30 a.m. PDT (2:30 p.m. EDT). During that conference, the Court shall rule on pending Motions; and counsel should be prepared to discuss the status of discovery and to set a firm case schedule, including a trial date. Counsel are instructed to call Chambers at (419) 213-5675 to obtain the call-in number and advise who will be attending the conference. (am) (Entered: 03/29/2010)
03/30/2010	<u>97</u>	STATUS REPORT <i>JOINT</i> filed by Plaintiff Kevon Gordon. (Shartin, Stacy) (Entered: 03/30/2010)
03/31/2010	<u>98</u>	MINUTES OF Motion Hearing held before Judge Jack Zouhary RE: MOTION to Dismiss First Cause of Action to First Amended Complaint as to Defendants Heisterberg, Miller and Longdyke <u>83</u> , and MOTION to Dismiss first amended complaint <u>16</u> . Defendants Motion to Dismiss (Doc. No. 16) is denied without prejudice. Defendants Motion to Dismiss pursuant to Rule 41(b) (Doc. No. 83) is denied. Defendants Heisterberg, Longdyke, and Miller shall file Answers to the First Amended Complaint within ten (10) days. Upon agreement of the parties, Defendant Christopher Gastingier is dismissed from the case. If appropriate, parties shall stipulate to a replacement Defendant. Court Reporter: None. (mrgo) (Entered: 03/31/2010)
04/07/2010	<u>99</u>	ANSWER to Amended Complaint, <u>15</u> filed by defendant Tony Heisterberg, Dennis Longdyke, Lori Miller. (Bell, Michael) (Entered: 04/07/2010)
04/22/2010	<u>100</u>	ORDER by Judge Jack Zouhary: The Court has set a Settlement Conference for Thursday, June 3, 2010 at 10:30 a.m. (PDT) in Courtroom 1, United States District Court, George E. Brown, Jr. United States Courthouse, 3470 Twelfth Street, 2nd Floor, Riverside, California 92501-3801. Lead Counsel and Parties, or a representative with full authority to negotiate and settle, are to appear in person. Further, each party shall submit an ex parte letter summarizing the settlement position to the Judge Zouharys Chambers by fax (419-213-5680) no later than Friday, May 28, 2010. (am) (Entered: 04/22/2010)

04/23/2010	<u>101</u>	NOTICE of Change of Attorney Information for attorney Michael A Bell counsel for Defendants City of Moreno Valley, Tony Heisterberg, Dennis Longdyke, Lori Miller. Robert D. Herrick will no longer receive service of documents from the Clerks Office for the reason indicated in the G-06 Notice. Robert D. Herrick is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G-06 Notice. Filed by Defendants City of Moreno Valley, Longdyke, Miller and Heisterberg (Bell, Michael) (Entered: 04/23/2010)
06/03/2010	<u>105</u>	MINUTES OF Settlement Conference held before Judge Jack Zouhary: Settlement Conference held on June 3, 2010. Progress made. With consent of all parties, the Court will conduct followup efforts over the next few weeks. In the interim, further discovery is stayed pending the outcome of these discussions. (am) (Entered: 06/11/2010)
06/04/2010	<u>102</u>	STIPULATION for Settlement filed by Plaintiffs Raymond Barnes, Quincy Brown, Kevon Gordon, Ronald Jones. (Attachments: # <u>1</u> Exhibit Signed Release, # <u>2</u> Proposed Order)(Bibring, Peter) (Entered: 06/04/2010)
06/07/2010	<u>103</u>	RESPONSE filed by Defendant County of Riverside to Stipulation for Settlement <u>102 and proposed order</u> (Lockwood, Christopher) (Entered: 06/07/2010)
06/10/2010	<u>104</u>	RESPONSE IN SUPPORT OF STIPULATION AND PROPOSED ORDER RE SETTLEMENT (Docket #102) filed by Plaintiffs Raymond Barnes, Quincy Brown, Kevon Gordon, Ronald Jones. (Bibring, Peter) (Entered: 06/10/2010)
06/15/2010	<u>106</u>	STIPULATION AND ORDER RE SETTLEMENT BETWEEN PLAINTIFFS AND STATE DEFENDANTS by Judge Jack Zouhary: The Court finds that the payment of \$33,000 to Plaintiffs as stated in the Release is a good-faith settlement of the State Defendants proportionate share of Plaintiffs overall damages in this action. See McDermott, Inc. v. AmClyde, 511 U.S. 202, 204 (1994); Franklin v. Kaypro Corp., 884 F.2d 1222, 1229-32 (9th Cir. 1989); Restatement (Third) of Torts §16 [Apportionment of Liability] (2000); Any future assessment of damages owed to Plaintiffs in this action will be made as to the proportionate share(s) of the remaining, non-settling Defendants. Following any such award of damages to Plaintiffs in this action, no other Defendant in the action may seek contribution from any of the State Defendants, nor may any other Defendant seek to offset the final damages awarded to Plaintiffs by the amount paid pursuant to the attached Release. The Court shall retain jurisdiction over this settlement for a period of one year for the purpose of enforcing the terms of the Release. (am) (Entered: 06/15/2010)
07/22/2010	<u>107</u>	STIPULATION to Dismiss Defendant Arlene Bauby, Joe Brown, Xochi Carmargo filed by Plaintiff Raymond Barnes, Quincy Brown, Kevon Gordon, Ronald Jones. (Attachments: # <u>1</u> Proposed Order Dismissing Defendants)(Bibring, Peter) (Entered: 07/22/2010)
07/23/2010	<u>108</u>	ORDER DISMISSING CLAIMS AGAINST BROWN, BAUBY, AND CARMAGO with prejudice by Judge Jack Zouhary, re Stipulation to Dismiss Party <u>107</u> , Xochi Carmargo, Arlene Bauby and Joe Brown terminated. (mrgo) (Entered: 07/23/2010)
08/06/2010	<u>109</u>	MINUTES OF Status Conference held before Judge Jack Zouhary: The Court conducted a Status Phone Conference on August 6, 2010. The Court reviewed the status of this case with counsel. After discussion, the Court agreed to stay further discovery while settlement discussions can continue. Discovery is stayed until Friday, September 3, 2010. In-Person Conference set for Tuesday, November 2, 2010 at 3:00 p.m. to be held at the U.S. Court of Appeals, 125 South Grand Avenue, Pasadena, California 91105 (room location to be determined at a later date). Trial is set for Monday, February 14, 2011. (am) (Entered: 08/06/2010)
10/18/2010	<u>110</u>	ORDER by Judge Jack Zouhary: An in-person Status Conference is scheduled for Tuesday, November 2, 2010 at 3:00 p.m. to be held at the U.S. Court of Appeals, 125 South Grand Avenue, Pasadena, California 91105 (Conference Room on the Mezzanine). Lead counsel and parties, or a representative with full authority to negotiate and settle, are to appear in person. Further, each party shall submit an ex parte letter summarizing the settlement position to the Judges Chambers by fax (419-213-5680) by Thursday, October 28, 2010. (am) (Entered: 10/18/2010)

11/02/2010	<u>113</u>	MINUTES OF STATUS CONFERENCE (held & completed) before Judge Jack Zouhary. Court and counsel discuss the status of the case. A settlement offer was approved by the County of Riverside. The parties shall be notified of chambers by December 8, 2010 on the status of the case and if any settlement can be reached. Court Reporter: Gary George. (lom) (Entered: 11/08/2010)
11/03/2010	<u>111</u>	NOTICE of Change of Attorney Information for attorney Rishi Puri counsel for Plaintiffs Raymond Barnes, Quincy Brown, Kevon Gordon, Ronald Jones. Changing Firm Name to Sheppard, Mullin, Richter & Hampton LLP, 333 S. Hope Street, 43rd Fl., Los Angeles, CA 90071. Changing e-mail to rpuri@sheppardmullin.com. Adding Rishi Puri as attorney as counsel of record for Kevon Gordon, Ronald Jones, Raymond Barnes, Quincy Brown for the reason indicated in the G-06 Notice. Filed by Defendants Kevon Gordon, Ronald Jones, Raymond Barnes, Quincy Brown (Puri, Rishi) (Entered: 11/03/2010)
11/05/2010	<u>112</u>	STIPULATION for Settlement <i>Between Plaintiffs and County Defendants</i> filed by Plaintiff Raymond Barnes, Quincy Brown, Kevon Gordon, Ronald Jones. (Attachments: # <u>1</u> Exhibit Release, # <u>2</u> Proposed Order)(Bibring, Peter) (Entered: 11/05/2010)
11/09/2010	<u>114</u>	STIPULATION AND ORDER RE SETTLEMENT BETWEEN PLAINTIFFS AND COUNTY DEFENDANTS by Judge Jack Zouhary. (See document for specifics) (Made JS-6. Case Terminated.) (mrgo) (Entered: 11/09/2010)
02/03/2011	<u>115</u>	NOTICE of Change of Attorney Information for attorney Timothy Towery Coates counsel for Defendants City of Moreno Valley, Tony Heisterberg, Dennis Longdyke, Lori Miller. Michael Anthony Brown will no longer receive service of documents from the Clerks Office for the reason indicated in the G-06 Notice. Michael Anthony Brown is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G-06 Notice. Filed by Defendants City of Moreno Valley, Tony Heisterberg, Dennis Longdyke and Lori Miller (Coates, Timothy) (Entered: 02/03/2011)
02/04/2011	<u>116</u>	STIPULATION to Dismiss defendant City of Moreno Valley, Tony Heisterberg, Dennis Longdyke, Lori Miller filed by Plaintiff Quincy Brown, Ronald Jones, Kevon Gordon, Raymond Barnes. (Attachments: # <u>1</u> Exhibit Release, # <u>2</u> Proposed Order)(Bibring, Peter) (Entered: 02/04/2011)
02/07/2011	<u>117</u>	ORDER DISMISSING CLAIMS AGAINST DEFENDANTS CITY OF MORENO VALLEY, HEISTERBERG, LONGDYKE, MILLER by Judge Jack Zouhary, re Stipulation to Dismiss Party, <u>116</u> . The Court finds that the payment of \$10,000 to Plaintiffs as stated in the Release of Claims is a good-faith settlement of the City Defendants proportionate share of Plaintiffs overall damages in this action. See <i>McDermott, Inc. v. AmClyde</i> , 511 U.S. 202, 204 (1994); <i>Franklin v. Kaypro Corp.</i> , 884 F.2d 1222, 1229-32 (9th Cir. 1989); <i>Restatement (Third) of Torts §16 [Apportionment of Liability]</i> (2000). No other Defendant in this action may seek contribution from any of the City Defendants. The Court shall retain jurisdiction over this settlement for a period of three months for the purpose of enforcing the terms of the Release. See <i>Kokkonen v. Guardians Life Insurance Co. of America</i> , 511 U.S. 375 (1994). This action and all defendants to this action having been dismissed by stipulation pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Clerk is directed to close the file. (mrgo) (Entered: 02/07/2011)