

**U.S. District Court
California Northern District (Oakland)
CIVIL DOCKET FOR CASE #: 4:09-cv-02307-PJH**

Gray Panthers of San Francisco et al v. Schwarzenegger et al
Assigned to: Hon. Phyllis J. Hamilton
Case in other court: Ninth Circuit Court of Appeals, 09-16967
Cause: 28:1331 Fed. Question

Date Filed: 05/26/2009
Date Terminated: 10/29/2009
Jury Demand: None
Nature of Suit: 950 Constitutional – State Statute
Jurisdiction: Federal Question

Plaintiff

Gray Panthers of San Francisco
a nonprofit corporation

represented by **Lynn Stuart Carman**
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Plaintiff

Mark Beckwith

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

Stanley Lester Friedman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

LifeLong Medical Center

represented by **Stanley Lester Friedman**
(See above for address)
ATTORNEY TO BE NOTICED

Lynn Stuart Carman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Margaret Dowling

represented by **Stanley Lester Friedman**
(See above for address)
ATTORNEY TO BE NOTICED

Lynn Stuart Carman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Independent Living Center of Southern California, Inc.

represented by **Stanley Lester Friedman**
(See above for address)
ATTORNEY TO BE NOTICED

Lynn Stuart Carman
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

California Foundation for Independent Living Centers

represented by **Stanley Lester Friedman**
(See above for address)
ATTORNEY TO BE NOTICED

Lynn Stuart Carman
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

Arnold Schwarzenegger
Governor of the State of California

represented by **Joshua Nathan Sondheimer**
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Office of the Attorney General
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Karin S. Schwartz
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ATTORNEY TO BE NOTICED

Defendant

Kim Belshe
Secretary of Health and Human Services
Agency of the State of California

represented by **Joshua Nathan Sondheimer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

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

represented by **Karin S. Schwartz**
(See above for address)
LEAD ATTORNEY
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Defendant

John Chiang
Controller of the State of California

represented by **Daniel J. Powell**
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LEAD ATTORNEY

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Defendant**Bill Lockyer**
Treasurer of the State of Californiarepresented by **Joshua Nathan Sondheimer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Karin S. Schwartz**
(See above for address)
ATTORNEY TO BE NOTICED**Defendant****Michael E. Genest**
Director of Finance of the State of
Californiarepresented by **Joshua Nathan Sondheimer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/26/2009	<u>1</u>	COMPLAINT; summons issued against Michael E. Genest, Arnold Schwarzenegger, Kim Belshe, David Maxwell-Jolly, John Chiang, Bill Lockyer (Filing fee \$ 350, receipt number 34611032474). Filed by Gray Panthers of San Francisco, Mark Beckwith. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons)(slh, COURT STAFF) (Filed on 5/26/2009) (Entered: 06/01/2009)
05/26/2009	<u>2</u>	Disclosure of Non-Party Interested Entities or Persons by Gray Panthers of San Francisco, Mark Beckwith (slh, COURT STAFF) (Filed on 5/26/2009) (Entered: 06/01/2009)
05/26/2009	<u>3</u>	ADR SCHEDULING ORDER: Case Management Statement due by 8/26/2009. Case Management Conference set for 9/2/2009 01:30 PM. (Attachments: # 1 EMC Standing Order) (slh, COURT STAFF). (Entered: 06/01/2009)
05/26/2009		CASE DESIGNATED for Electronic Filing. (slh, COURT STAFF) (Filed on 5/26/2009) (Entered: 06/01/2009)
06/30/2009	<u>4</u>	AMENDED COMPLAINT against Kim Belshe, John Chiang, Michael E. Genest, Bill Lockyer, David Maxwell-Jolly, Arnold Schwarzenegger. Filed by Mark Beckwith, Gray Panthers of San Francisco, LifeLong Medical Center, Margaret Dowling, Independent Living Center of Southern California, Inc., California Foundation for Independent Living Centers. (Carman, Lynn) (Filed on 6/30/2009) (Entered: 06/30/2009)
07/01/2009	<u>5</u>	MOTION for Preliminary Injunction <i>TO ENJOIN ELIMINATION OF 9 MEDICAID SERVICES IN VIOLATION OF STIMULUS ACT</i> filed by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center. Motion Hearing set for 8/5/2009 10:30 AM in Courtroom C, 15th Floor, San Francisco. (Attachments: # <u>1</u> Supplement, # <u>2</u> Supplement, # <u>3</u> Supplement, # <u>4</u> Supplement, # <u>5</u> Supplement, # <u>6</u> Supplement, # <u>7</u> Supplement)(Carman, Lynn) (Filed on 7/1/2009) (Entered: 07/01/2009)
07/02/2009	<u>6</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center re <u>5</u> MOTION for Preliminary Injunction <i>TO ENJOIN ELIMINATION OF 9 MEDICAID SERVICES IN VIOLATION OF STIMULUS ACT NOTICE OF PROPOSED ORDER</i> (Carman, Lynn) (Filed on 7/2/2009) (Entered: 07/02/2009)
07/02/2009	<u>7</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>RULE 3-16 DISCLOSURE</i> (Carman, Lynn) (Filed on 7/2/2009) (Entered: 07/02/2009)

07/06/2009	<u>8</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center re <u>5</u> MOTION for Preliminary Injunction <i>TO ENJOIN ELIMINATION OF 9 MEDICAID SERVICES IN VIOLATION OF STIMULUS ACT NOTICE OF CONTINUANCE OF MOTION TO AUGUST 12, 2009</i> (Carman, Lynn) (Filed on 7/6/2009) (Entered: 07/06/2009)
07/06/2009	<u>9</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>CONSENT TO MAGISTRATE JUDGE</i> (Carman, Lynn) (Filed on 7/6/2009) (Entered: 07/06/2009)
07/07/2009	<u>10</u>	First Declination to Proceed Before a U.S. Magistrate Judge by David Maxwell-Jolly. (Schwartz, Karin) (Filed on 7/7/2009) (Entered: 07/07/2009)
07/07/2009	<u>11</u>	NOTICE by David Maxwell-Jolly of <i>Unavailability of Counsel</i> (Schwartz, Karin) (Filed on 7/7/2009) (Entered: 07/07/2009)
07/07/2009	<u>12</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center re <u>5</u> MOTION for Preliminary Injunction <i>TO ENJOIN ELIMINATION OF 9 MEDICAID SERVICES IN VIOLATION OF STIMULUS ACT NOTICE TO CONTINUE HEARING TO AUG. 12, 2009</i> (Carman, Lynn) (Filed on 7/7/2009) (Entered: 07/07/2009)
07/07/2009	<u>13</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>AMENDED CONSENT TO MAGISTRATE JUDGE</i> (Carman, Lynn) (Filed on 7/7/2009) (Entered: 07/07/2009)
07/07/2009	<u>14</u>	AFFIDAVIT of Service for SUMMONS AND ALL MOVING PAPERS served on ALL DEFENDANTS on 7/6/09, filed by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center. (Carman, Lynn) (Filed on 7/7/2009) (Entered: 07/07/2009)
07/08/2009	<u>15</u>	Ex Parte Application <i>WITH REQUEST FOR JUDICIAL NOTICE</i> filed by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Supplement, # <u>3</u> Exhibit, # <u>4</u> Proposed Order)(Carman, Lynn) (Filed on 7/8/2009) (Entered: 07/08/2009)
07/08/2009	<u>16</u>	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (bpfS, COURT STAFF) (Filed on 7/8/2009) (Entered: 07/08/2009)
07/09/2009	<u>17</u>	ERRATA <i>TO SET FORTH CORRECT EXHIBIT 1 TO EX PARTE REQUESTS OF PLAINTIFFS</i> by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center. (Carman, Lynn) (Filed on 7/9/2009) (Entered: 07/09/2009)
07/09/2009	<u>18</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Hon. Phyllis J. Hamilton for all further proceedings. Judge Magistrate Judge Edward M. Chen no longer assigned to the case. Signed by Executive Committee on 7/9/09. (mab, COURT STAFF) (Filed on 7/9/2009) (Entered: 07/09/2009)
07/09/2009	<u>19</u>	Reply Memorandum re <u>15</u> Ex Parte Application <i>WITH REQUEST FOR JUDICIAL NOTICE</i> filed by David Maxwell-Jolly. (Schwartz, Karin) (Filed on 7/9/2009) (Entered: 07/09/2009)
07/10/2009	<u>20</u>	ORDER by Judge Hamilton denying <u>15</u> Ex Parte Application (pjhlc1, COURT STAFF) (Filed on 7/10/2009) (Entered: 07/10/2009)
07/14/2009	<u>21</u>	ORDER SETTING CASE MANAGEMENT CONFERENCE. Signed by Judge Phyllis J. Hamilton on 7/14/09. (nah, COURT STAFF) (Filed on 7/14/2009) (Entered: 07/14/2009)

07/14/2009		Set Deadlines/Hearings: Joint Case Management Statement due by 9/10/2009. Initial Case Management Conference set for 9/17/2009 02:30 PM. (nah, COURT STAFF) (Filed on 7/14/2009) (Entered: 07/14/2009)
07/15/2009	<u>22</u>	MOTION to Dismiss <i>the Complaint</i> filed by David Maxwell-Jolly. Motion Hearing set for 8/19/2009 09:00 PM in Courtroom 5, 17th Floor, San Francisco. (Schwartz, Karin) (Filed on 7/15/2009) (Entered: 07/15/2009)
07/15/2009	<u>23</u>	Request for Judicial Notice re <u>22</u> MOTION to Dismiss <i>the Complaint</i> filed by David Maxwell-Jolly. (Related document(s) <u>22</u>) (Schwartz, Karin) (Filed on 7/15/2009) (Entered: 07/15/2009)
07/15/2009	<u>24</u>	Proposed Order re <u>22</u> MOTION to Dismiss <i>the Complaint</i> by David Maxwell-Jolly. (Schwartz, Karin) (Filed on 7/15/2009) (Entered: 07/15/2009)
07/26/2009	<u>25</u>	Memorandum in Opposition re <u>5</u> MOTION for Preliminary Injunction <i>TO ENJOIN ELIMINATION OF 9 MEDICAID SERVICES IN VIOLATION OF STIMULUS ACT</i> filed by David Maxwell-Jolly. (Schwartz, Karin) (Filed on 7/26/2009) (Entered: 07/26/2009)
07/26/2009	<u>26</u>	Declaration of Barbara Bailey in Support of <u>25</u> Memorandum in Opposition to <i>Motion for Preliminary Injunction</i> filed by David Maxwell-Jolly. (Related document(s) <u>25</u>) (Schwartz, Karin) (Filed on 7/26/2009) (Entered: 07/26/2009)
07/26/2009	<u>27</u>	Declaration of Michael C. Genest in Support of <u>25</u> Memorandum in Opposition to <i>Motion for Preliminary Injunction</i> filed by David Maxwell-Jolly. (Related document(s) <u>25</u>) (Schwartz, Karin) (Filed on 7/26/2009) (Entered: 07/26/2009)
07/26/2009	<u>28</u>	Request for Judicial Notice re <u>25</u> Memorandum in Opposition to <i>Motion for Preliminary Injunction</i> filed by David Maxwell-Jolly. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Related document(s) <u>25</u>) (Schwartz, Karin) (Filed on 7/26/2009) (Entered: 07/26/2009)
07/26/2009	<u>29</u>	Declaration of Toby Douglas in Support of <u>25</u> Memorandum in Opposition to <i>Motion for Preliminary Injunction</i> filed by David Maxwell-Jolly. (Attachments: # <u>1</u> Errata, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Related document(s) <u>25</u>) (Schwartz, Karin) (Filed on 7/26/2009) (Entered: 07/26/2009)
07/27/2009	<u>30</u>	Letter from Karin Schwartz re <i>E-Filing of Defendant Maxwell-Jolly's Opposition to Motion for Preliminary Injunction</i> . (Schwartz, Karin) (Filed on 7/27/2009) (Entered: 07/27/2009)
07/27/2009	<u>31</u>	Answer to Amended Complaint <i>For Injunctive and Declaratory Relief</i> by John Chiang. (Powell, Daniel) (Filed on 7/27/2009) (Entered: 07/27/2009)
07/27/2009	<u>32</u>	MOTION to Dismiss (<i>Fed. R. Civ. P. 12(b)(1) &(6)</i>) filed by Kim Belshe, Michael E. Genest, Bill Lockyer, Arnold Schwarzenegger. Motion Hearing set for 9/2/2009 09:00 AM in Courtroom 5, 17th Floor, San Francisco. (Sondheimer, Joshua) (Filed on 7/27/2009) (Entered: 07/27/2009)
07/27/2009	<u>33</u>	Joinder -- <i>CONDITIONAL</i> -- <i>TO DEFENDANT MAXWELL-JOLLYS MOTION TO DISMISS AND DEFENDANTS OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION</i> by Arnold Schwarzenegger. (Sondheimer, Joshua) (Filed on 7/27/2009) (Entered: 07/27/2009)
07/27/2009	<u>34</u>	Proposed Order <i>Granting Motion to Dismiss</i> by Kim Belshe, Michael E. Genest, Bill Lockyer, Arnold Schwarzenegger. (Sondheimer, Joshua) (Filed on 7/27/2009) (Entered: 07/27/2009)
07/30/2009	<u>35</u>	NOTICE by Kim Belshe, Michael E. Genest, Bill Lockyer, Arnold Schwarzenegger <i>Of Unavailability of Counsel</i> (Sondheimer, Joshua) (Filed on 7/30/2009) (Entered: 07/30/2009)
08/01/2009	<u>36</u>	Memorandum in Opposition <i>TO MOTION TO DISMISS</i> filed by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center. (Carman, Lynn) (Filed on 8/1/2009) (Entered: 08/02/2009)

08/02/2009	<u>37</u>	NOTICE of Voluntary Dismissal <i>OF THIRD CLAIM FOR RELIEF, ONLY, AGAINST ALL DEFENDANTS EXCEPT JOHN CHIANG, CONTROLLER</i> by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center (Carman, Lynn) (Filed on 8/2/2009) (Entered: 08/02/2009)
08/05/2009	<u>38</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>OF WITHDRAWAL OF PRELIMINARY INJUNCTION MOTION IN RESPECT TO THIRD CLAIM FOR RELIEF, ONLY</i> (Attachments: # <u>1</u> Exhibit EXHIBITS A, B)(Carman, Lynn) (Filed on 8/5/2009) (Entered: 08/05/2009)
08/05/2009	<u>39</u>	Reply Memorandum re <u>22</u> MOTION to Dismiss <i>the Complaint</i> filed by David Maxwell-Jolly. (Schwartz, Karin) (Filed on 8/5/2009) (Entered: 08/05/2009)
08/05/2009	<u>40</u>	Reply Memorandum <i>WITH SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE</i> filed by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center. (Attachments: # <u>1</u> SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE, # <u>2</u> EXHIBITS A, B)(Carman, Lynn) (Filed on 8/5/2009) (Entered: 08/05/2009)
08/06/2009	<u>41</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>CORRECTION OF ERRATA IN SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE</i> (Attachments: # <u>1</u> CORRECTION OF ERRATA)(Carman, Lynn) (Filed on 8/6/2009) (Entered: 08/06/2009)
08/06/2009	<u>42</u>	OBJECTIONS to re <u>40</u> Reply Memorandum, <i>filed by Plaintiffs on August 5, 2009</i> by David Maxwell-Jolly. (Schwartz, Karin) (Filed on 8/6/2009) (Entered: 08/06/2009)
08/07/2009	<u>43</u>	Consent MOTION for Leave to File <i>Supplementary Material in Opposition to Motion for Preliminary Injunction</i> filed by David Maxwell-Jolly. Motion Hearing set for 8/19/2009 09:00 AM in Courtroom 5, 17th Floor, San Francisco. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Proposed Order)(Schwartz, Karin) (Filed on 8/7/2009) (Entered: 08/07/2009)
08/08/2009	<u>44</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>NOTICE OF NON-OBJECTION TO A FURTHER MEMORANDUM BY DEFENDANTS IN RESPECT TO DEFENDANTS' NEW MATTER OBJECTION FILED AUGUST 6, 2009</i> (Attachments: # <u>1</u> Exhibit EXHIBIT A)(Carman, Lynn) (Filed on 8/8/2009) (Entered: 08/08/2009)
08/10/2009	<u>45</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>NOTICE OF ASSOCIATION OF CO-COUNSEL</i> (Carman, Lynn) (Filed on 8/10/2009) (Entered: 08/10/2009)
08/10/2009	<u>46</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>APPEARANCE OF STANLEY L. FRIEDMAN AS A CO-COUNSEL</i> (Carman, Lynn) (Filed on 8/10/2009) (Entered: 08/10/2009)
08/10/2009	<u>47</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>JESSIE M. SANDOVAL APPEARANCE AS A CO-COUNSELE</i> (Carman, Lynn) (Filed on 8/10/2009) (Entered: 08/10/2009)

08/12/2009	<u>48</u>	Memorandum in Opposition <i>TO DISMISSAL MOTION OF THE GOVERNOR AND THE TREASURER</i> filed by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center. (Carman, Lynn) (Filed on 8/12/2009) (Entered: 08/12/2009)
08/13/2009	<u>49</u>	EX PARTE REQUEST FOR LYNN S. CARMAN TO USE EAR PHONES AT AUGUST 19, 2009 HEARING by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center (Carman, Lynn) (Filed on 8/13/2009) Modified on 8/17/2009 (far, COURT STAFF). (Entered: 08/13/2009)
08/14/2009	<u>50</u>	ORDER by Judge Phyllis J. Hamilton granting <u>43</u> Motion for Leave to File (nah, COURT STAFF) (Filed on 8/14/2009) (Entered: 08/14/2009)
08/17/2009	<u>51</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>STIPULATION TO DISMISS DEFENDANTS KIM BELSHE AND MICHAEL E. GENEST</i> (Carman, Lynn) (Filed on 8/17/2009) (Entered: 08/17/2009)
08/17/2009	<u>52</u>	NOTICE by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>STIPULATION TO DISMISS 3D CLAIM FOR RELIEF, ONLY, AGAINST DEFENDANT JOHN CHIANG, ONLY</i> (Carman, Lynn) (Filed on 8/17/2009) (Entered: 08/17/2009)
08/17/2009	<u>53</u>	NOTICE of Voluntary Dismissal <i>OF DEFENDANTS KIM BELSHE AND MICHAEL E. GENEST, ONLY</i> by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center (Carman, Lynn) (Filed on 8/17/2009) (Entered: 08/17/2009)
08/18/2009	<u>54</u>	Reply to Opposition <i>REPLY IN SUPPORT OF GOVERNOR SCWHARZENEGGER AND TREASURER LOCKYER'S MOTION TO DISMISS</i> filed by Bill Lockyer, Arnold Schwarzenegger. (Sondheimer, Joshua) (Filed on 8/18/2009) (Entered: 08/18/2009)
08/19/2009	<u>55</u>	Minute Entry: Motion Hearing held on 8/19/2009 before Phyllis J. Hamilton (Date Filed: 8/19/2009) re <u>5</u> MOTION for Preliminary Injunction <i>TO ENJOIN ELIMINATION OF 9 MEDICAID SERVICES IN VIOLATION OF STIMULUS ACT</i> filed by Mark Beckwith, LifeLong Medical Center, Independent Living Center of Southern California, Inc., Gray Panthers of San Francisco, California Foundation for Independent Living Centers, Margaret Dowling, <u>22</u> MOTION to Dismiss <i>the Complaint</i> filed by David Maxwell-Jolly. (Court Reporter Katherine Sullivan.) (nah, COURT STAFF) (Date Filed: 8/19/2009) (Entered: 08/19/2009)
08/21/2009	<u>56</u>	NOTICE of Appearance by Stanley Lester Friedman (Friedman, Stanley) (Filed on 8/21/2009) (Entered: 08/21/2009)
08/26/2009	<u>57</u>	Transcript of Proceedings held on 8/19/09, before Judge Phyllis J. Hamilton. Court Reporter/Transcriber Katherine Powell Sullivan, Telephone number 415-794-6659. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerks Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 11/23/2009. (Sullivan, Katherine) (Filed on 8/26/2009) (Entered: 08/26/2009)
09/01/2009	<u>58</u>	ORDER by Judge Hamilton granting <u>32</u> Motion to Dismiss (pjhlc1, COURT STAFF) (Filed on 9/1/2009) (Entered: 09/01/2009)
09/01/2009	<u>59</u>	ORDER by Judge Hamilton denying <u>5</u> Motion for Preliminary Injunction; granting <u>22</u> Motion to Dismiss (pjhlc1, COURT STAFF) (Filed on 9/1/2009) (Entered: 09/01/2009)

09/04/2009	60	<p>CLERKS NOTICE</p> <p>Effective September 14, 2009, Judge Phyllis Hamilton's courtroom and chambers will be located in the Oakland Courthouse, Courtroom #3, 3rd floor, 1301 Clay Street, Oakland, California 94612.</p> <p>On or after September 14, 2009, all filings for matters pending on Judge Hamiltons docket, all court appearances, and all deliveries of chambers' copies of documents must be made at the Oakland Courthouse.</p> <p>The days and times for law and motion calendars and all currently scheduled proceedings remain unchanged.</p> <p>Please note that all of Judge Hamilton's case files will be moved to the Oakland Courthouse, therefore all cases numbers assigned to her will be changed slightly to reflect the correct venue. Previously, all case numbers started with "3:" to indicate the San Francisco office (Example: 3:09-cv-12345-PJH). As of September 14th, 2009, all of Judge Hamilton's case files will begin with "4:" to indicate the Oakland office, but everything else will stay the same (Example: 4:09-cv-12345-PJH). When e-filing, using the short case number format will always avoid problems when searching for the correct case: 09-12345 (YY-NNNNN).</p> <p>For information on the Oakland Courthouse's accessibility, parking, driving directions, public transit, hotels and other helpful links, please visit our website: http://www.cand.uscourts.gov, click on "Court Information" on the right hand side of our main page, then select the Oakland link under "Address and Jurisdiction". The main telephone number for the Oakland Division is 510 637-3530.</p> <p>(cp, COURT STAFF) (Filed on 9/4/2009) (Entered: 09/04/2009)</p>
09/04/2009	<u>61</u>	<p>NOTICE OF APPEAL re <u>55</u> , <u>59</u> by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center (Attachments: # <u>1</u> Exhibit)(Carman, Lynn) FEE STATUS: PAID (Filed on 9/4/2009) Modified on 9/11/2009 (far, COURT STAFF). Modified on 9/14/2009 (vlk, COURT STAFF). (Entered: 09/04/2009)</p>
09/08/2009		<p>USCA Appeal Fees received \$ 455 receipt number 34611036328 (far, COURT STAFF) (Filed on 9/8/2009) (Entered: 09/10/2009)</p>
09/09/2009	<u>62</u>	<p>STIPULATION AND ORDER RE SEPT. 17, 2009 by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center. (Friedman, Stanley) (Filed on 9/9/2009) (Entered: 09/09/2009)</p>
09/10/2009	<u>63</u>	<p>STIPULATION AND ORDER RE SEPTEMBER 17, 2009 CASE MANAGEMENT CONFERENCE re <u>62</u> Stipulation, filed by Mark Beckwith, LifeLong Medical Center, Independent Living Center of Southern California, Inc., Gray Panthers of San Francisco, California Foundation for Independent Living Centers, Margaret Dowling. Signed by Judge Phyllis J. Hamilton on 9/10/09. (nah, COURT STAFF) (Filed on 9/10/2009) (Entered: 09/10/2009)</p>
09/14/2009	<u>64</u>	<p>Copy of Notice of Appeal and Docket sheet mailed to all counsel (Attachments: # <u>1</u> docket)(vlk, COURT STAFF) (Filed on 9/14/2009) (Entered: 09/14/2009)</p>
09/14/2009	<u>65</u>	<p>Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals (Attachments: # <u>1</u> Appeal Notification Form, # <u>2</u> Notice of Appeal, # <u>3</u> docket)(vlk, COURT STAFF) (Filed on 9/14/2009) (Entered: 09/14/2009)</p>
09/14/2009	<u>66</u>	<p>Certificate of Record forwarded to USCA (vlk, COURT STAFF) (Filed on 9/14/2009) (Entered: 09/14/2009)</p>
09/17/2009	<u>67</u>	<p>USCA Case Number 09-16967 Ninth Circuit Court of Appeals (kk, COURT STAFF) (Filed on 9/17/2009) (Entered: 09/17/2009)</p>
09/24/2009	<u>68</u>	<p>Document incorrectly e-filed. See document <u>71</u> . NOTICE of Appeal by Mark Beckwith, California Foundation for Independent Living Centers, Margaret</p>

		Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center <i>NOTICE OF APPEAL FROM re 58 DISMISSAL OF GOVERNOR AND TREASURER</i> (Attachments: # <u>1</u> Exhibit A and B)(Carman, Lynn) (Filed on 9/24/2009) Modified on 9/24/2009 (vlk, COURT STAFF). Modified on 9/24/2009 (vlk, COURT STAFF). (Entered: 09/24/2009)
09/24/2009	<u>69</u>	RECEIVED: Civil Appeals Docketing Statement forwarded to 9th Circuit US Court of Appeals by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center (Attachments: # <u>1</u> Supplement ATTACHMENT TO DOCKETING STATEMENT, # <u>2</u> Exhibit EXHIBITS A AND B)(Carman, Lynn) (Filed on 9/24/2009) (Entered: 09/24/2009)
09/24/2009	<u>70</u>	USCA Case Number 09-17098 Ninth Circuit Court of Appeals re: #68(Attachments: # <u>1</u> USCA Time Scheduling Order)(kk, COURT STAFF) (Filed on 9/24/2009) Modified on 9/24/2009 (kk, COURT STAFF). (Entered: 09/24/2009)
09/24/2009	<u>72</u>	Copy of re <u>71</u> Notice of Appeal and Docket sheet mailed to all counsel (Attachments: # <u>1</u> docket)(vlk, COURT STAFF) (Filed on 9/24/2009) Modified on 9/24/2009 (vlk, COURT STAFF). Modified on 9/24/2009 (vlk, COURT STAFF). (Entered: 09/24/2009)
09/24/2009	<u>71</u>	NOTICE OF APPEAL as to <u>58</u> Order on Motion to Dismiss by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center. Filing fee \$ 455. Receipt No. 44611004169 Appeal Record due by 10/26/2009. (vlk, COURT STAFF) (Filed on 9/24/2009) Modified on 9/24/2009 (vlk, COURT STAFF). (Entered: 09/24/2009)
09/24/2009	<u>73</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>71</u> Notice of Appeal, (Attachments: # <u>1</u> Appeal Notification Form, # <u>2</u> Notice of Appeal, # <u>3</u> Docket)(vlk, COURT STAFF) (Filed on 9/24/2009) (Entered: 09/24/2009)
09/24/2009	<u>74</u>	**ISSUED IN ERROR. PLEASE DISREGARD Certificate of Record forwarded to USCA re appeal <u>71</u> Notice of Appeal (vlk, COURT STAFF) (Filed on 9/24/2009) Modified on 9/25/2009 (vlk, COURT STAFF). (Entered: 09/24/2009)
10/07/2009	<u>75</u>	ORDER of USCA as to <u>71</u> Notice of Appeal re: emergency motion for an injunction pending appeal (vlk, COURT STAFF) (Filed on 10/7/2009) (Entered: 10/07/2009)
10/24/2009	<u>76</u>	NOTICE of Voluntary Dismissal <i>OF ACTION AGAINST DEFENDANTS ARNOLD SCHWARZENEGGER, DAVID MAXWELL-JOLLY, AND BILL LOCKYER, ONLY</i> by Mark Beckwith, California Foundation for Independent Living Centers, Margaret Dowling, Gray Panthers of San Francisco, Independent Living Center of Southern California, Inc., LifeLong Medical Center (Carman, Lynn) (Filed on 10/24/2009) (Entered: 10/24/2009)
10/26/2009	<u>77</u>	MOTION TO ENTER ORDER OF DISMISSAL AS TO ALL PARTIES AND ALL CAUSES OF ACTION PURSUANT TO COURTS PRIOR SUBSTANTIVE ORDERS IN THE CASE filed by David Maxwell-Jolly. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Proposed Order)(Schwartz, Karin) (Filed on 10/26/2009) (Entered: 10/26/2009)
10/27/2009	<u>78</u>	STIPULATION AND <i>[Proposed] ORDER DISMISSING LAWSUIT WITH PREJUDICE</i> by Bill Lockyer, David Maxwell-Jolly, Arnold Schwarzenegger. (Schwartz, Karin) (Filed on 10/27/2009) (Entered: 10/27/2009)
10/28/2009	<u>79</u>	ORDER of USCA as to <u>71</u> Notice of Appeal denying emergency motion (kk, COURT STAFF) (Filed on 10/28/2009) (Entered: 10/28/2009)
10/28/2009	<u>80</u>	ORDER of USCA denying plaintiff's emergency motion for a stay pending appeal(kk, COURT STAFF) (Filed on 10/28/2009) (Entered: 10/28/2009)
10/29/2009	<u>81</u>	STIPULATION AND ORDER DISMISSING CASE, ***Civil Case Terminated. Signed by Judge Phyllis J. Hamilton on 10/29/09. (nah, COURT STAFF) (Filed on

		10/29/2009) (Entered: 10/29/2009)
11/12/2009	<u>82</u>	MANDATE of USCA as to <u>71</u> Notice of Appeal, filed by Mark Beckwith, LifeLong Medical Center, Independent Living Center of Southern California, Inc., Gray Panthers of San Francisco, California Foundation for Independent Living Centers, Margaret Dowling (vlk, COURT STAFF) (Filed on 11/12/2009) (Entered: 11/12/2009)
11/12/2009	<u>83</u>	CLERKS Letter Spreading Mandate to Counsel (vlk, COURT STAFF) (Filed on 11/12/2009) (Entered: 11/12/2009)
01/12/2010	<u>84</u>	MANDATE of USCA as to <u>71</u> Notice of Appeal, filed by Mark Beckwith, LifeLong Medical Center, Independent Living Center of Southern California, Inc., Gray Panthers of San Francisco, California Foundation for Independent Living Centers, Margaret Dowling (vlk, COURT STAFF) (Filed on 1/12/2010) (Entered: 01/12/2010)
01/12/2010	<u>85</u>	CLERKS Letter Spreading Mandate to Counsel (vlk, COURT STAFF) (Filed on 1/12/2010) (Entered: 01/12/2010)