

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF
CALIFORNIA (Southern Division – Santa Ana)
CIVIL DOCKET FOR CASE #: 8:03-cv-00820-JVS-AN**

Nadine Flores, et al v. Los Angeles Cty MTA, et al
Assigned to: Judge James V. Selna
Referred to: Discovery Arthur Nakazato
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 05/22/2003
Date Terminated: 09/24/2004
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Nadine Flores

represented by **Daniel P Tokaji**
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TERMINATED: 07/27/2004
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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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Plaintiff

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individually and on behalf of a class of
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V.

Defendant

**Los Angeles County Metropolitan
Transportation Authority**
a municipal corporation

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Defendant

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James G Jones
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Defendant**Does***1 through 10, inclusive*

Date Filed	#	Docket Text
11/16/2000	1	COMPLAINT filed Summons(es) Issued referred to Discovery Robert N. Block; Jury Demand (pc) (Entered: 11/20/2000)
11/16/2000	2	NOTICE OF INTERESTED PARTIES filed by plaintiff Nadine Flores, plaintiff Stefanie Michihara, plaintiff Maria Vasquez, plaintiff Johnny Bolagh, plaintiff Tamara Muhammad, plaintiff Mary Ann Jones (pc) (Entered: 11/20/2000)
11/16/2000	3	NOTICE by plaintiff of related case(s) CV 98-402 CBM (BQRx) (kc) (Entered: 11/22/2000)
12/01/2000	4	OPPOSITION filed by defendant Access Services Inc to related case notice [3-1] (twdb) (Entered: 12/04/2000)
12/06/2000	5	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 (Related Case) filed. [Related Case no.: CV 98-402 CBM (BQRx)] Case transferred from Judge Manuel L. Real to Judge Consuelo B. Marshall for all further proceedings. , Case referred from Discovery Robert N. Block to Discovery Brian Q. Robbins . The case number will now reflect the initials of the transferee Judge [CV 00-12188 CBM (BQRx)] (cc: all counsel) (m) (Entered: 12/06/2000)
12/07/2000	6	PROOF OF SERVICE executed upon defendant Los Angeles Metropolitan Transportation Authority, a Municipal Corporation on 11/28/00 by personally delivering S/C, Ntc of Interested Ptys to Joyce Hudson, Person Auth to Accept Svc of Proc (see doc for fur details) (mch) (Entered: 12/08/2000)
12/07/2000	7	PROOF OF SERVICE executed upon defendant Access Services Inc on 11/27/00 by personally delivering S/C, Ntc of Interested Ptys to Jacqueline Horak, Person Auth to Accept Svc of Proc (see doc for fur details) (mch) (Entered: 12/08/2000)
12/27/2000	8	STIPULATION and ORDER by Judge Consuelo B. Marshall extending time to answer complaint [1-1] to 1/12/01 as to defendant Los Angeles Cty MTA, defendant Access Services Inc All parties will not commence discov prior to 1/13/01 & plas will hv a 30 day ext of time for a total of 120 days in whcih to fi a mot for class certification (bg) (Entered: 12/27/2000)
01/16/2001	9	STIPULATION and ORDER by Judge Consuelo B. Marshall extending time to answer complaint [1-1] to 1/26/01 as to defendants Los Angeles County Metropolitan Transportation Authority & Access Services Inc ; All ptys will not commence disc prior to 1/27/01 & Plfs will have a 44 day ext of time for a total of 134 days in which to file a Mot for Class Certification under Local Civil Rule 18.3; Time for Early Meeting of Cnsl under Local Rule Civil 6.1 shall be ext to NLT 1/31/01 (SEND) (ir) (Entered: 01/16/2001)
01/26/2001	10	NOTICE OF INTERESTED PARTIES filed by defendant Los Angeles Cty MTA (ir) (Entered: 01/30/2001)
01/26/2001	11	ANSWER filed by defendant Los Angeles Count Metropolitan Transporation Authority to complaint [1-1]; jury demand (ir) (Entered: 01/30/2001)
01/26/2001	12	NOTICE OF INTERESTED PARTIES filed by defendant Access Services Inc (ir) (Entered: 01/30/2001)
01/26/2001	13	ANSWER filed by defendant Access Services Inc to complaint [1-1]; jury demand (ir) (Entered: 01/30/2001)
02/09/2001	14	STIPULATION and ORDER by Judge Consuelo B. Marshall Early Meeting of Cnsl shall be extended to NLT 2/26/01 (SEND) (ir) (Entered: 02/12/2001)
03/01/2001	15	STIPULATION and ORDER by Judge Consuelo B. Marshall Time for Early Meeting of Cnsl under Local Rule 6.1 & to the extent applicable meeting of Cnsl anticipated by FRCP subsection 26(f) shall be ext to NLT 3/31/01; All ptys will not

		commence disc prior to 3/31/01 & Plfs will have fur 37 day ext of time for a total of 171 days in which to file a Mot for Class Certification under Local Civil Rule 18.3 (ir) (Entered: 03/02/2001)
04/11/2001	16	JOINT REPORT OF EARLY MEETING OF COUNSEL filed. Estimated length of trial 3-4 wks (ir) (Entered: 04/12/2001)
04/12/2001	17	MINUTES: Status Conference On Crt's own mot, this case is set for a Status Conf on 9:30 5/21/01 by Judge Consuelo B. Marshall CR: n/a (SEND) (ir) (Entered: 04/13/2001)
05/02/2001	18	MINUTES: It is ord as follows: 5/21/01 Status conf is taken off cal; all discovery shall be completed on or before 10/31/01; Pretrial conference set on 2:30 2/26/02; trial set on 10:00 3/27/02 ; All mot shall be noticed for hrg on or before 12/10/01 by Judge Consuelo B. Marshall CR: n/a (SEND) (ir) (Entered: 05/02/2001)
06/04/2001	19	UNOPPOSED MOTION by plaintiffs Nadine Flores, Stefanie Michihara, Johnny Bolagh for Class Certification ; motion hearing set for 10:00 7/2/01; PA & Decls in suppt thereof; Lodged Propsd Ord (ir) (Entered: 06/04/2001)
06/18/2001	20	JOINT WRITTEN STATEMENT of non-opp by defendants to Plfs' motion for Class Certification [19-1] (ir) (Entered: 06/19/2001)
06/29/2001	21	MINUTES: SUBMITTED MOT/JULY 2, 2001; On Crt's own mot, the following mots are submttd w/out oral argument: Plfs' motion for Class Certification [19-1] is submitted by Judge Consuelo B. Marshall CR: n/a (PSEND) (ir) (Entered: 06/29/2001)
07/02/2001	22	ORDER by Judge Consuelo B. Marshall, this Crt GRANTS Plf's motion for Class Certification [19-1]. A class is hereby certified consisting of all qualified person w/disabilities who are currently eligible for paratransit svc provided by Dfts or who will become eligible in the fur for such services, w/Plfs Nadine Flores, Stephanie Michihara & Johnny Bolagh serving as class rep (SEND) (ir) (Entered: 07/03/2001)
07/05/2001	23	ATTORNEY SUBSTITUTION: terminating attorneys Christine M Henricks, James G Jones for Access Services Inc by defendant Access Services Inc and substituting attorney James G Jones by Judge Consuelo B. Marshall (yc) (Entered: 07/06/2001)
07/23/2001	24	NOTICE OF CHANGE Of Address filed by atty Christopher H Knauf for plaintiff Mary Ann Jones (el) (Entered: 07/24/2001)
09/21/2001	25	STIPULATION and ORDER to cont civil proceeding to allow settlement discussion by Judge Consuelo B. Marshall ; discovery ddl set on 4/30/02; mot cutoff 7/1/02 ; pretrial conference on 3:00 8/12/02 ; trial set on 10:00 10/1/02 (send) (pj) (Entered: 09/24/2001)
03/29/2002	26	JOINT STATUS REPORT AND STIPULATION and ORDER by Judge Consuelo B. Marshall to continue civil proc to allow sttlmnt discussion as fol(s): discovery ddl cont on 9/30/02; Final Pretrial Conf cont to 3:00 12/12/02; trial cont to 10:00 2/4/03 (el) (Entered: 04/01/2002)
08/01/2002	27	JOINT STATUS REPORT AND STIPULATION and ORDER by Judge Consuelo B. Marshall to continue civil proc to allow fur sttlmnt discussion and resched the fol: MCO: 2/3/03; discovery ddl cont to 12/31/02; Final Pretrial Conference cont to 3:00 3/13/03; trial cont to 10:00 5/6/03 (el) (Entered: 08/02/2002)
11/13/2002	28	JOINT STATUS REPORT and STIPULATION and ORDER by Judge Consuelo B. Marshall that discovery ddl is continued on 3/31/03; Final Pretrial Conference continued to 2:30 6/9/03; trial continued to 10:00 8/5/03 ; Motion cutoff continued to 5/5/03 (el) (Entered: 11/14/2002)
03/06/2003	29	STIPULATION and ORDER by Judge Consuelo B. Marshall ; discovery ddl reset on 6/30/04; motion filing ddl reset on 8/25/03; Final Pretrial Conference reset for 2:30 10/6/03 ; trial reset on 10:00 11/18/03 (lc) (Entered: 03/07/2003)
05/21/2003	30	ORDER OF THE CHIEF JUDGE # 03-115 approved by Judge Consuelo B. Marshall Pursuant to the recommended procedure adopted by the Court for the creation of the calendar of Judge James V. Selna , this case is transferred from the

		calendar of Judge Consuelo B. Marshall to the calendar of Judge James V. Selna for all further proceedings. (cc: all counsel) (rn) (Entered: 05/22/2003)
05/22/2003	31	NOTICE RE INTRA-DISTRICT TRANSFER filed. Case reassigned to Southern Division by Order of the Chief Judge # 03-115 filed 5/21/03. New case no. SACV 03-820 JVS (ANx) assigned to Judge James V. Selna for all further proceedings; all discovery matters are transferred to Discovery Arthur Nakazato . (Original file transferred.) (cc: all counsel) (rn) (Entered: 05/22/2003)
05/28/2003	<u>32</u>	MINUTES (IN CHAMBERS) This action has been randomly reassigned to the Honorable James V Selna, US District Judge, pursuant to the Order of the Chief Judge filed 5/14/03. Civil motions are heard on Mondays at 1:30 pm. The PreTrial Conference is reset for 10/6/03 at 11:00 am. The Jury Trial is reset for 11/18/03 at 8:30 am (see document for further details) by Judge James V. Selna CR: none present (rl) (Entered: 05/30/2003)
05/29/2003	33	NOTICE of pending "joint request for clarification of previous order; or in the alternative, stipulation and order re litigation dates" by defendant Los Angeles Cty MTA (mt) (Entered: 06/03/2003)
06/10/2003	<u>34</u>	JOINT REQUEST filed for clarification of previous order , or in the alternative stipulation and order regarding litigation dates (rl) (Entered: 06/10/2003)
06/10/2003	34	ORDER REGARDING LITIGATION DATES by Judge James V. Selna. IT IS SO ORDERED that the previously set discovery and motion cut-offs, pre-trial conference and trial dates are VACATED, and the Parties shall report back to this Court with respect to the status of the mediation/settlement negotiations and a proposed litigation schedule if the case does not settle, by joint status report filed no later than 6/20/03 and shall appear at a status conference to be held on 6/30/03 at 11:00am granting request for clarification of previous order [34-1], granting request stipulation and order regarding litigation dates [34-2] (rl) (Entered: 06/10/2003)
06/17/2003	<u>35</u>	STIPULATION and ORDER by Judge James V. Selna , ; status conference cont for 11:00 9/15/03 and that the parties will instead file a further joint status report no later than August 29,2003 informing the court of the stats of the settlement approval process. (yc) (Entered: 06/19/2003)
06/26/2003	<u>36</u>	MINUTES: by Judge James V. Selna; RE NOTICE OF PERMANENT CHANGE IN COURT'S LOCATION: Effective July 7,2003, Judge James V. Selna and his staff will permanently be located at the District Court at 411 West Fourth Street, Santa Ana, Commencing July 3,2003 all subsequent pleading MUST be filed in Santa Ana CR None Present (yc) (Entered: 06/27/2003)
08/29/2003	<u>37</u>	JOINT STATUS REPORT AND STIPULATION and ORDER by Judge James V. Selna vacating 9/15/03 status conference ; the parties will file a further joint status report no later than 10/31/03 informing the court of the status of the settlement approval process (mt) (Entered: 09/02/2003)
10/31/2003	38	JOINT STATUS REPORT (mt) (Entered: 11/04/2003)
01/30/2004	39	JOINT STATUS REPORT filed by Defendants Access Services Incorporated, Los Angeles County Metropolitan Transportation Authority. (csb,) (Entered: 02/09/2004)
04/30/2004	40	JOINT STATUS REPORT filed by Defendant Access Services Incorporated. (csb,) (Entered: 05/10/2004)
06/02/2004	<u>41</u>	STIPULATION AND ORDER RE CLASS ACTION SETTLEMENT FAIRNESS HEARING AND GIVING CLASS NOTICE by Judge James V. Selna. (See document for details)(esa,) (Entered: 06/03/2004)
07/07/2004	<u>42</u>	NOTICE OF DISCREPANCY AND ORDER: by Judge James V. Selna, ORDERING letter submitted by Juanita Barnes received on 7/1/04 is not to be filed but instead rejected. Denial based on: LR 11-3.8 Lacking name, address, phone and facsimile numbers. LR 11-4.1 No copy provided for judge. FRCvP Rule 5(d) no proof of service attached to document(s). Letter addressed to judge.(mt,) (Entered: 07/08/2004)

07/07/2004	<u>43</u>	NOTICE OF DOCUMENT DISCREPANCIES AND ORDER by Judge James V. Selna ORDERING letter submitted by Frances Malcom received on 7/1/04 to be filed and processed; filed date to be the date the document was stamped Received but not Filed with the Clerk(mt,) (Entered: 07/08/2004)
07/07/2004	<u>44</u>	Letter from Frances Malcom (mt,) (Entered: 07/08/2004)
07/27/2004	45	NOTICE of Change of Handling Attorney by attorney Peter Eliasberg for Plaintiffs Nadine Flores, Mary Ann Jones, Stefanie Michihara, Tamara Muhammad, Maria Vasquez, changing – Attorney Daniel P Tokaji no longer counsel of record for plaintiffs, direct all future communications to Peter Eliasberg and Mark Rosenbaum. Filed by plaintiffs Nadine Flores, Mary Ann Jones, Stefanie Michihara, Tamara Muhammad, Maria Vasquez (mt,) Modified on 7/29/2004 (mt,). (Entered: 07/29/2004)
08/06/2004	46	FIRST COMPLIANCE DECLARATION concerning Notice required under stipulation and order re: Class Action Settlement Fairness Hearing and giving Class notice entered 6/6/04 filed by Defendant Access Services Incorporated. (esa,) (Entered: 08/13/2004)
08/06/2004	47	SECOND COMPLIANCE DECLARATION concerning Notice required under stipulation and order re: Class Action Settlement Fairness Hearing and giving Class notice entered 6/6/04 filed by Defendant Access Services Incorporated. (esa) (Entered: 08/13/2004)
08/09/2004	48	THIRD COMPLIANCE DECLARATION concerning Notice required under stipulation and order re: Class Action Settlement Fairness Hearing and giving Class notice entered 6/6/04 filed by Defendant Access Services Incorporated. (esa,) (Entered: 08/13/2004)
09/01/2004	<u>49</u>	Order by Judge James V. Selna: It is hereby Ordered that the unredacted responses Plaintiffs counsel has received to the proposed class action settlement in this matter, lodged with Court by counsel for Plaintiffs, will be filed under seal and not be avialable to the public. (esa,) (Entered: 09/02/2004)
09/01/2004	<u>51</u>	MINUTES OF In Chambers Proceedings re Briefing Regarding Class Settlement Comments held before Judge James V. Selna : The Court directs that the parties file a joint statement on or before 9/16/04 regarding the comments of: Melody Goodman, Developmental Disabilities Board, Area 10; Gloria Wong, Eastern Los Angeles Regional Center; Any other individual comments which the parties wish to address. The Court believes that an appreciation of the parties views in advance of the 9/24/04 hearing will greatly expedite the hearing. Separately, the parties are directed to file on or before 9/22/04 a joint list of all persons whom the parties are aware of who have given notice of intent to be heard on 9/24/04. If objection is made to any person who has given notice, the basis therefor shall be stated. Court Reporter: none present. (esa,) (Entered: 09/02/2004)
09/01/2004	52	NOTICE OF CHANGE OF HANDLING ATTORNEY: Attorneys Benjamin Y. Kim, Christopher H. Knauf, and Audrey A. Kraus are no longer employed with the Western Law Center for Disability Rights. Please direct all future communications to Paula D. Pearlman at the Western Law Center for Disability Rights, 919 South Albany Street, Los Angeles, CA 90015. (esa,) (Entered: 09/03/2004)
09/03/2004	53	MEMORANDUM OF POINTS and Authorities in Support of Approval of Class Action Settlement Agreement Pursuant to FRCP 23(e) re Stipulation and Order <u>41</u> ; Declaration of Paula D Pearlman; Exhibits in Support Thereof (ln,) (Entered: 09/09/2004)
09/16/2004	54	JOINT STATEMENT by Plaintiffs and Defendants Counsel Regarding Comments and Objections to Stipulation for Settlement; (ln,) (Entered: 09/22/2004)
09/17/2004	55	JOINT NOTICE OF LODGING of: 1) Stipulation for Settlement and [Proposed] Order Thereof; and 2) [Proposed] Final Judgment of Dismissal with Prejudice; (ln,) (Entered: 09/22/2004)
09/20/2004	59	DECLARATION of Nadine Flores and Mary Ann Jones in support of Approval of Class Action Settlement Agreement (esa,) (Entered: 09/28/2004)

09/21/2004	60	JOINT STATEMENT regarding persons arguably wishing to speak at fairness hearing and objections thereto filed by Defendants Access Services Incorporated, Los Angeles County Metropolitan Transportation Authority, Plaintiffs Johnny Bolagh, Nadine Flores, Mary Ann Jones, Stefanie Michihara, Tamara Muhammad, Maria Vasquez (mt,) (Entered: 09/29/2004)
09/24/2004	<u>56</u>	STIPULATION FOR SETTLEMENT AND [PROPOSED] ORDER THEREON by Judge James V. Selna (mt,) (Entered: 09/27/2004)
09/24/2004	<u>57</u>	FINAL JUDGMENT OF DISMISSAL WITH PREJUDICE by Judge James V. Selna. It is hereby ordered and adjudged that this case be dismissed in its entirety with prejudice, pursuant to Rule 41(a) of the FRCP. All parties shall bear their own costs and fees, except as otherwise set forth in the stipulation for settlement and order thereon. (Made JS-6. Case Terminated.)(mt,) (Entered: 09/27/2004)
09/24/2004	<u>58</u>	MINUTES OF Motion Hearing held before Judge James V. Selna: Joint Motion for Approval of Class Action Settlement 19 . The Court grants the motion for approval of class action settlement and approves the settlement. The stipulation of the parties and judgment are signed by the Court. Court Reporter: Kathy Mechanic. (mt) (Entered: 09/27/2004)
09/30/2004	61	RECEIPT OF REPORTERS TRANSCRIPT of proceedings for the following dates: 9/24/04 Court Reporter: Kathleen Mechanic. (ghap,) (Entered: 10/01/2004)
09/30/2004	62	TRANSCRIPT filed for proceedings held on 9/24/04. Court Reporter: Kathleen Mechanic. (ghap,) (Entered: 10/01/2004)
02/14/2005	<u>63</u>	STIPULATION AND ORDER by Judge James V. Selna : to extend time of compliance with the settlement order(dmjr,) (Entered: 02/15/2005)
08/23/2005	<u>64</u>	STIPULATION AND ORDER by Judge James V. Selna to Modify Section 5.8.1.4 of Stipulation for Settlement and Order <u>58</u> entered 09/27/04(see document for details)(ln,) (Entered: 08/23/2005)
06/15/2006	65	NOTICE of Change of Attorney Information: changing address to 555 South Flower Street, 30th Floor, Los Angeles, CA 90071 for attorney Brenton F Goodrich. Filed by Defendant Los Angeles County Metropolitan Transportation Authority (ln,) (Entered: 06/27/2006)
06/15/2006	66	NOTICE of Change of Attorney Information: changing address to 555 South Flower Street, 30th Floor, Los Angeles, CA 90071 for attorney Ira a Weinreb. Filed by Defendant Los Angeles County Metropolitan Transportation Authority (ln,) (Entered: 06/27/2006)