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JAN 22 2001

CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA OFFICE

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JAN 18 2001

CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION AT SANTA ANA
DEPUTY

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

RICHARD S., CYNTHIA R.,
VALDINA, R., and ROES 1 through 2500,
individually, and on behalf of all those
similarly situated by WILLIAM CABLE,
M.D., as Guardian Ad Litem, MELISSA
TISDALE, by and through her guardian ad
litem, Debby Tisdale, RAYMOND MASAO
KAWAGUCHI, by and through his
conservator, Margaret Reade, SHEILA
WILLIAMS, by and through her conservator
Essie Rogers, PHILIP WILSON, by and
through his conservator, Betty Gray, and
ROES 2501 through 5000, DEBBIE
TISDALE, individually, and on behalf of the
CALIFORNIA ASSOCIATION OF STATE
HOSPITAL PARENT COUNCILS FOR
THE RETARDED, aka (CASH/PCR),
ASSOCIATION FOR RETARDED
CITIZENS - CALIFORNIA, aka (ARC-
CAL), SACRAMENTO ASSOCIATION
FOR THE RETARDED, INC., aka (ARC-
SACRAMENTO)

Plaintiffs,

vs

DEPARTMENT OF DEVELOPMENTAL
SERVICES OF THE STATE OF
CALIFORNIA, DONNA E SHALALA, in
her capacity as Secretary of the
DEPARTMENT OF HEALTH AND
HUMAN SERVICES, FAIRVIEW
DEVELOPMENTAL CENTER,
SOUTH COAST REGIONAL PROJECT,
HARBOR REGIONAL CENTER,
REGIONAL CENTER OF ORANGE
COUNTY, SAN DIEGO REGIONAL
CENTER, SOUTH CENTRAL LOS

Case No.: SACV97-219 GLT (Anx)

[PROPOSED] JUDGMENT

ENTER ON ICMS

JAN 22 2001

Docketed
 Copies / NTC Sent
 JS - 5 JS - 6
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ANGELES REGIONAL CENTER,
WESTSIDE REGIONAL CENTER,
CLIFFORD ALLENBY, as Director of the
DEPARTMENT OF DEVELOPMENTAL
SERVICES STATE OF
CALIFORNIA, HUGH KOHLER, as
Executive Director of FAIRVIEW
DEVELOPMENTAL CENTER, LILIA TAN
FIGUEROA, M D., as Medical Director of
FAIRVIEW DEVELOPMENTAL CENTER
DAWN LEMONDS, as Director of SOUTH
COAST REGIONAL PROJECT,

Defendants

vs

BARBARA BELL, DONNA PLOUFFE
JEFFREY CASON, individually and on
behalf of all others similarly situated; SELF-
ADVOCACY BOARD OF LOS ANGELES
COUNTY; AUTISM SOCIETY OF LOS
ANGELES,

Intervenors.

The parties' respective motions for summary judgment/summary adjudication were heard by this Court on March 20, 2000. On March 28, 2000, this Court entered its Order on Motions for Summary Judgment, denying plaintiffs' motion and granting in part and denying in part intervenors' and defendants' motions. Intervenors' motion for summary adjudication was GRANTED as to the first count of plaintiffs' Second Amended Complaint (SAC) pertaining to the Americans with Disabilities Act. Defendant Regional Center of Orange County's partial summary judgment motion was also GRANTED on this count. Intervenors' summary adjudication motion was also GRANTED as to the second claim for relief of the First Amended Complaint in Intervention, alleging violation of 42 U.S.C. section 1983 based on denial of due process and a permanent injunction was entered thereon on April 25, 2000. State defendants' motion for partial summary judgment was GRANTED as to the third and fourth counts of the SAC pertaining to 42 U.S.C. section 1983.

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Based upon the above, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

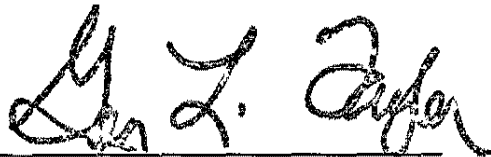
I.

That the Order on Motions for Summary Judgment, entered on March 28, 2000, and the permanent injunction issued pursuant thereto, entered on April 25, 2000, shall become final, shall remain in full force and effect, and shall be incorporated in this Judgment.

II.

Plaintiffs' and intervenors' remaining claims—which were not resolved by this Court in its Order on Motions for Summary Judgment—are as follows: Counts two through six pertaining to the Americans with Disabilities Act, and counts one and two pertaining to 42 U.S.C. section 1983 of plaintiffs' Second Amended Complaint, and the first, third and fourth claims for relief of intervenors' First Amended Complaint in Intervention. The parties have settled these remaining claims and a settlement agreement was filed with the Court on August 29, 2000. Unless otherwise agreed to by the parties and approved by the Court, the parties' time for filing and serving their respective motions for attorneys' fees and costs shall be deemed to commence from the date this judgment is entered and shall be calculated in accordance with applicable statutes and federal and local rules.

DATED: 1-18-01



Gary L. Taylor
United States District Judge

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Approved as to content and form:

DATED: *November 9, 2000*

BILL LOCKYER, Attorney General
of the State of California
JOHN H. SANDERS
Lead Supervising Deputy Attorney General
TAMMY CHUNG RYU
Supervising Deputy Attorney General
RICHARD T. WALDOW
SUZANNE L. SALZWEDEL
Deputy Attorneys General

By: *Tammy Chung Ryu*
TAMMY CHUNG RYU
Attorneys for State Defendants

DATED *November 9, 2000*

HARDIMAN & CAHILL *by Ronald, Esq. per telephonic authority 11-9-00*
By: *Margaret M. Cahill*
MARGARET M. CAHILL, ESQ.
Attorneys for Plaintiffs

DATED *November 9, 2000*

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By: *Patricia M. Lytle*
PATRICIA M. LYTLE, ESQ.
Attorneys for Plaintiffs

DATED: *November 9, 2000*

PROTECTION & ADVOCACY, INC. *by Ronald, Esq. per telephonic authority 11-9-00*
By: *Ellen S. Goldblatt*
ELLEN S. GOLDBLATT, ESQ.
Attorneys for Intervenor

DATED: *November 13, 2000*

RONALD R. HOUSE
Attorney At Law *by Ronald, Esq. per e-mail authority 11-13-00*
By: *Ron House*
RON HOUSE, ESQ.
Attorney for Defendant San Diego
Regional Center

DECLARATION OF SERVICE

CASE CAPTION: RICHARD S., et al. v. DEPARTMENT OF DEVELOPMENTAL SERVICES OF THE STATE OF CALIFORNIA, et al. v. BARBARA BELL, et al
CASE NO.: SACV 97-219 GLT (ANx)

I am employed in the County of Los Angeles, California. I am 18 years of age or older and not a party to the within entitled cause; my business address is 300 S Spring Street, Los Angeles, California 90013

On November 13, 2000, I served the foregoing document described as [PROPOSED] JUDGMENT on the parties in this action as follows

SEE ATTACHED SERVICE LIST

METHOD OF SERVICE:

[X] (BY MAIL) I caused such envelope(s) fully prepaid to be placed in the United States Mail at Los Angeles, California I am "readily familiar" with the firm's practice of collection and processing correspondence of mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[] (BY U.P.S./OVERNIGHT DELIVERY [CCP §1005]) I caused such envelope(s) to be delivered to an overnight delivery (U.P.S.) fees provided for, addressed to the person(s) on whom it is to be served.


[] (BY FAX) I caused such documents to be transmitted by facsimile to the offices of the addressee(s). The facsimile machine used complied with California Rules of Court, Rule 2003, and no error was reported by the machine

[] (BY PERSONAL SERVICE) I caused such envelope(s) to be delivered by hand to the offices of the addressee(s). [ORIGINAL PROOF OF PERSONAL SERVICE TO BE FILED UNDER SEPARATE COVER].

[] STATE - I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct

[X] FEDERAL - I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed this 13th day of November, 2000, at Los Angeles, California.


THURMAN JEAN PEDEN
Declarant

SERVICE LIST

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