

**U.S. District Court  
DISTRICT OF ARIZONA (Tucson Division)  
CIVIL DOCKET FOR CASE #: 4:08-cv-00139-RCC**

Garcia v. Santa Cruz County, et. al  
Assigned to: Judge Raner C Collins  
Cause: 42:1983 Civil Rights Act

Date Filed: 02/25/2008  
Date Terminated: 07/17/2009  
Jury Demand: Defendant  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**George Victor Garcia**  
*on behalf of himself and the class of  
similarly situated persons*

represented by **Andrew C Schwartz ,**  
Casper Meadows Schwartz &Cook  
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**ATTORNEY TO BE NOTICED**

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V.

**Defendant**

**Santa Cruz, County of**

represented by **Georgia A Staton**  
Jones Skelton &Hochuli PLC  
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**Mark E Merin**  
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**Russell R Yurk**  
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**Defendant**

**Sheriff Tony Estrada**  
*in his individual and official capacities*

represented by **Georgia A Staton**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Lisa S Wahlin**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Mark E Merin**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Russell R Yurk**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Unknown Parties**  
*Named as DOES 1-50 - Santa Cruz  
 County Sheriff Deputies*

represented by **Georgia A Staton**  
 (See above for address)

**Lisa S Wahlin**  
 (See above for address)

**Mark E Merin**  
 (See above for address)

**Russell R Yurk**  
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Date Filed	#	Docket Text
02/25/2008	<u>1</u>	COMPLAINT. Filing fee received: \$ 350.00, receipt number 0970000000001751304, filed by George Victor Garcia, Santa Cruz County, Tony Estrada. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons)(Dahlstrom, Eric) (Entered: 02/25/2008)
02/25/2008		This case has been assigned to the Honorable Raner C. Collins. All future pleadings or documents should bear the correct case number: CV-08-139-TUC-RCC. (BJW, ) (Entered: 02/25/2008)

02/25/2008	<u>2</u>	Notice re Magistrate Consent Form (BJW, ) (Entered: 02/25/2008)
02/25/2008	<u>3</u>	Summons Issued as to Santa Cruz County, Tony Estrada. (Attachments: # <u>1</u> Summons)(BJW, ). *** IMPORTANT: You must select "Document and stamps" or "Document and comments" on the print screen in order for the court seal to appear on the summons you print. (Entered: 02/25/2008)
02/28/2008	<u>4</u>	MOTION for Admission Pro Hac Vice as to attorney Robert R Rothstein on behalf of George Victor Garcia. (BAS, ) (Entered: 02/28/2008)
02/28/2008		PRO HAC VICE FEE PAID. \$ 100, receipt number PHX068443 as to Robert Richard Rothstein. (BAS, ) (Entered: 02/28/2008)
02/28/2008	<u>5</u>	ORDER pursuant to General Order 05-25 granting <u>4</u> Motion for Admission Pro Hac Vice.Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS, )(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 02/28/2008)
03/19/2008	<u>6</u>	MOTION for Extension of Time to answer or respond to Plaintiffs' Complaint by DOES 1-50, Santa Cruz County, Tony Estrada. (Staton, Georgia) Modified EVENT on 4/8/2008 TO EXTENSION OF TIME TO FILE ANSWER (KMF, ). (Entered: 03/19/2008)
03/20/2008	<u>7</u>	RESPONSE to Motion re <u>6</u> MOTION for Extension of Time to answer or respond to Plaintiffs' Complaint filed by George Victor Garcia. (Rothstein, Robert) (Entered: 03/20/2008)
03/21/2008	<u>8</u>	MOTION for Admission Pro Hac Vice as to attorney Mark E Merin on behalf of George Victor Garcia. (BAS, ) (Entered: 03/21/2008)
03/21/2008	<u>9</u>	MOTION for Admission Pro Hac Vice as to attorney Andrew C Schwartz on behalf of George Victor Garcia. (BAS, ) (Entered: 03/21/2008)
03/21/2008		PRO HAC VICE FEE PAID. \$ 100, receipt number PHX069273 as to Mark E Merin. (BAS, ) (Entered: 03/21/2008)
03/21/2008		PRO HAC VICE FEE PAID. \$ 100, receipt number PHX069274 as to Andrew C Schwartz. (BAS, ) (Entered: 03/21/2008)
03/21/2008	<u>10</u>	ORDER pursuant to General Order 05-25 granting <u>8</u> Motion for Admission Pro Hac Vice; granting <u>9</u> Motion for Admission Pro Hac Vice.Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS, )(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 03/21/2008)
04/08/2008	<u>11</u>	ORDER granting <u>6</u> Motion for Extension of Time to Answer, dfts' answer due 5/8/2008. Signed by Judge Raner C Collins on 4/8/08.(KMF, ) (Entered: 04/08/2008)
05/08/2008	<u>12</u>	ANSWER to <u>1</u> Complaint by DOES 1-50, Santa Cruz County, Tony Estrada.(Staton, Georgia) (Entered: 05/08/2008)
05/08/2008	<u>13</u>	DEMAND for Trial by Jury by DOES 1-50, Santa Cruz County, Tony Estrada. (Staton, Georgia) (Entered: 05/08/2008)
06/10/2008	<u>14</u>	ORDER Telephonic Scheduling Conference set for 7/8/2008 11:00 AM before Judge Raner C Collins' law clerk. Joint rpt due 7/7/08. Signed by Judge Raner C Collins on 6/10/08. (KMF, ) (Entered: 06/10/2008)
06/17/2008	<u>15</u>	NOTICE of Appearance by Russell R Yurk on behalf of all defendants (Yurk, Russell) (Entered: 06/17/2008)
06/20/2008	<u>16</u>	NOTICE of Appearance by Lisa Carol Stelly-Wahlin on behalf of DOES 1-50, Santa Cruz County, Tony Estrada (Stelly-Wahlin, Lisa) (Entered: 06/20/2008)

07/07/2008	<u>17</u>	REPORT re: Rule 26(f) Planning Meeting by Santa Cruz County, Tony Estrada. (Yurk, Russell) (Entered: 07/07/2008)
07/09/2008	<u>18</u>	SCHEDULING ORDER: Discovery due by 12/15/2009. Dispositive motions due by 1/15/2009. Proposed Pretrial Order due by 2/26/2010. Joint Settlement Status Report due by 11/5/2008 & every 45 days thereafter. Signed by Judge Raner C Collins on 7/8/08. (KMF, ) (Entered: 07/09/2008)
07/10/2008	<u>19</u>	AMENDED SCHEDULING ORDER: Discovery due by 12/15/2009. Dispositive motions due by 1/15/2010. Joint Proposed Pretrial Order due by 2/26/2010. Joint Settlement Status Report due by 11/5/2008 & every 45 days thereafter. Signed by Judge Raner C Collins on 7/9/08. (KMF, ) Modified TEXT on 7/10/2008 (KMF, ). (Entered: 07/10/2008)
07/31/2008	<u>20</u>	CERTIFICATE OF SERVICE by George Victor Garcia <i>for Plaintiffs' Initial Disclosures</i> (Rothstein, Robert) (Entered: 07/31/2008)
07/31/2008	<u>21</u>	Notice re Service of Defendants' Initial Disclosure Statement by DOES 1-50, Santa Cruz County, Tony Estrada (Staton, Georgia) (Entered: 07/31/2008)
08/06/2008	<u>22</u>	Notice re Service of Defendants' Supplemental Disclosure Statement by Santa Cruz County, Tony Estrada (Staton, Georgia) (Entered: 08/06/2008)
08/11/2008	<u>23</u>	Notice re Service of Supplemental Disclosure Statement by DOES 1-50, Santa Cruz County, Tony Estrada (Staton, Georgia) (Entered: 08/11/2008)
08/26/2008	<u>24</u>	Notice re Service of Defendants' Third Supplemental Disclosure Statement by DOES 1-50, Santa Cruz County, Tony Estrada (Staton, Georgia) (Entered: 08/26/2008)
08/29/2008	<u>25</u>	CERTIFICATE OF SERVICE by George Victor Garcia (Merin, Mark) (Entered: 08/29/2008)
09/12/2008	<u>26</u>	Notice re Service of Defendants' 4th Supplemental Disclosure Statement by Santa Cruz County, Tony Estrada (Staton, Georgia) (Entered: 09/12/2008)
11/04/2008	<u>27</u>	STATUS REPORT - <i>Joint Settlement Status Report</i> by George Victor Garcia. (Merin, Mark) (Entered: 11/04/2008)
12/19/2008	<u>28</u>	MOTION for Stipulated Motion for Preliminary Approval of Provisional Settlement Class and Settlement of Class Action [ <i>Notice</i> ] by DOES 1-50, George Victor Garcia, Santa Cruz County, Tony Estrada. (Merin, Mark) (Entered: 12/19/2008)
12/19/2008	<u>29</u>	MOTION for Stipulated Motion for Preliminary Approval of Provisional Settlement Class and Settlement of Class Action [ <i>Points and Authorities</i> ] by DOES 1-50, George Victor Garcia, Santa Cruz County, Tony Estrada. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order, # <u>3</u> Text of Proposed Order Exhibits AB to Proposed Order)(Merin, Mark) (Entered: 12/19/2008)
01/15/2009	<u>30</u>	ORDER granting <u>29</u> Stipulated Motion for Preliminary Approval of Provisional Settlement Class and Settlement of Class Action. Ordered that both parties are to appear in Court for Hearing on Proposed Preliminary Approval of Settlement of Class Action scheduled for 2/3/09 @ 1:30pm. ***See attached PDF for complete information***. Signed by Judge Raner C Collins on 1/14/09.(BAC, ) (Entered: 01/15/2009)
02/03/2009	<u>31</u>	Minute Entry from hearing on Preliminary Approval of Settlement held before Judge Raner C Collins on 2/3/2009. Order signed. Fairness hearing set for 7/13/2009 at 01:30 PM before Judge Raner C Collins. See attached.pdf for details. (Court Reporter COURTSMART.)(MEG) (Entered: 02/03/2009)
02/04/2009	<u>32</u>	ORDER FOR PRELIMINARY APPROVAL OF SETTLEMENT OF CLASS ACTION. The terms of the Stipulation of Settlement are hereby preliminarily approved, subject to further consideration thereof at the Fairness Hearing. The Court finds that the settlement is sufficiently within the range of reasonableness and that notice of the proposed settlement should be given as provided in this Order. Fairness Hearing set for 7/13/2009 01:30 PM before Judge Raner C Collins. Signed by Judge Raner C Collins on 2/3/09. **SEE ATTACHED PDF FOR

		COMPLETE INFORMATION**(JEMB, ) (Entered: 02/04/2009)
03/03/2009	<u>33</u>	STIPULATION to Correct Stipulated Settlement of Class Action by DOES 1-50, Santa Cruz County, Tony Estrada. (Attachments: # <u>1</u> Text of Proposed Order)(Staton, Georgia) (Entered: 03/03/2009)
03/04/2009	<u>34</u>	ORDER granting <u>33</u> Stipulation : It is ordered approving the Provisional Settlement Class and Settlement of Class Action as modified in the stipulation to correct <u>33</u> . Signed by Judge Raner C Collins on 03/03/09. (LMF, ) (Entered: 03/04/2009)
05/22/2009	<u>35</u>	OBJECTION to the allocation of the settlement funds by Plaintiff George Victor Garcia. (JEMB, ) (Entered: 05/27/2009)
06/12/2009	<u>36</u>	NOTICE of Settlement <i>The Parties' Joint Submission in Support of Final Approval of Stipulated Settlement</i> by George Victor Garcia (Attachments: # <u>1</u> Exhibit 1)(Merin, Mark) (Entered: 06/12/2009)
06/12/2009	<u>37</u>	DECLARATION of Declaration of Mark E. Merin in Support of the Parties' Joint Submission in Support of Final Approval of Stipulated Settlement re <u>36</u> Notice of Settlement by Plaintiff George Victor Garcia. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Merin, Mark) (Entered: 06/12/2009)
06/12/2009	<u>38</u>	DECLARATION of RYANNE COZZI in Support of the Parties' Joint Submission in Support of Final Approval of Stipulated Settlement; Exhibit A re <u>36</u> Notice of Settlement by Plaintiff George Victor Garcia. (Merin, Mark) (Entered: 06/12/2009)
06/12/2009	<u>39</u>	Additional Attachments to Main Document re <u>36</u> Notice of Settlement [ <i>Proposed</i> ] Order and Judgment of Dismissal by Plaintiff George Victor Garcia. (Merin, Mark) (Entered: 06/12/2009)
06/12/2009	<u>40</u>	MOTION for Attorney Fees <i>Class Counsel's Unopposed Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> by George Victor Garcia. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Merin, Mark) (Entered: 06/12/2009)
06/12/2009	<u>41</u>	DECLARATION of Mark E. Merin in Support of Class Counsels' Unopposed Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs re <u>40</u> MOTION for Attorney Fees <i>Class Counsel's Unopposed Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> by Plaintiff George Victor Garcia filed by George Victor Garcia. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit C)(Merin, Mark) (Entered: 06/12/2009)
06/12/2009	<u>42</u>	DECLARATION of Andrew C. Schwartz in Support of re <u>40</u> MOTION for Attorney Fees <i>Class Counsel's Unopposed Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> by Plaintiff George Victor Garcia filed by George Victor Garcia. (Merin, Mark) (Entered: 06/12/2009)
06/12/2009	<u>43</u>	DECLARATION of Robert R. Rothstein in Support of re <u>40</u> MOTION for Attorney Fees <i>Class Counsel's Unopposed Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> by Plaintiff George Victor Garcia filed by George Victor Garcia. (Merin, Mark) (Entered: 06/12/2009)
06/15/2009	<u>44</u>	CERTIFICATE OF SERVICE by George Victor Garcia re <u>43</u> Declaration, <u>40</u> MOTION for Attorney Fees <i>Class Counsel's Unopposed Application for Approval of Stipulated Attorney's Fees and Reimbursement of Costs</i> , <u>41</u> Declaration, <u>42</u> Declaration, (Merin, Mark) (Entered: 06/15/2009)
06/15/2009	<u>45</u>	CERTIFICATE OF SERVICE by George Victor Garcia re <u>39</u> Additional Attachments to Main Document, <u>38</u> Declaration, <u>36</u> Notice of Settlement, <u>37</u> Declaration, (Merin, Mark) (Entered: 06/15/2009)
06/25/2009	<u>46</u>	WITHDRAWAL OF DOCUMENT re <u>35</u> Objection : <i>Notice of Withdrawal of Objection of George Victor Garcia</i> by Plaintiff George Victor Garcia. (Merin, Mark) (Entered: 06/25/2009)
07/13/2009	47	Minute Entry for Fairness Hearing before Judge Raner C Collins held on 7/13/2009. No individual party appearing from the settlement class and no one wishing to oppose the settlement as inquired in open court, Order and Judgment of

		Dismissal pursuant to stipulation of the parties is signed. PRESENT: Mark Merin and Andrew Schwartz for the Plaintiff; Georgia Staton for the defendants. (Court Reporter Erica Grund.) This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MEG) (Entered: 07/13/2009)
07/13/2009	<u>49</u>	ORDER AND JUDGMENT OF DISMISSAL pursuant to Stipulation of Settlement. It is Ordered that the complaint in this action be dismissed with prejudice and that judgment be and the same hereby is entered pursuant to the terms in this Order. ***See attached PDF for complete information***. Signed by Judge Raner C Collins on 7/13/09. (BAC, ) Modified on 7/24/2009 (DNO, INCORRECT FILE DATE; FILE DATE MODIFIED TO REFLECT FILE STAMP DATE; INCORRECT EVENT SELECTED). (Entered: 07/17/2009)
07/14/2009	<u>48</u>	Letter from Claimant. (BAC, ) (Entered: 07/16/2009)