

**U.S. District Court
Eastern District of California – Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:07-cv-00726-FCD-EFB**

Todd v. Solano et al
Assigned to: Judge Frank C. Damrell, Jr
Referred to: Magistrate Judge Edmund F. Brennan
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 04/16/2007
Date Terminated: 09/29/2009
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Michael Todd

represented by **Mark E. Merin**
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Plaintiff

Jamesy K. Davis

represented by **Mark E. Merin**
(See above for address)
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Plaintiff

DeAngela Harris

represented by **Mark E. Merin**
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LEAD ATTORNEY

Plaintiff

Carmen Harris Robinson

represented by **Mark E. Merin**
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Plaintiff

Bradley Allen Wolfe

represented by **Mark E. Merin**
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V.

Defendant

County Of Solano

represented by **Terence John Cassidy**
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 TERMINATED: 08/18/2008

Defendant

Gary R. Stanton
 Solano County Sheriff

represented by **Terence John Cassidy**
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 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

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

Stephen W. Robertson
 (See above for address)
 TERMINATED: 08/18/2008

V.

Unknown

Department of Justice

represented by **Ashante Latrice Norton**
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Date Filed	#	Docket Text
04/16/2007	<u>1</u>	CLASS ACTION COMPLAINT against all defendants by Michael Todd; Demand for Jury Trial. Attorney Merin, Mark E. added.(Merin, Mark) (Carlos, K). (Entered: 04/16/2007)
04/16/2007	<u>2</u>	CIVIL COVER SHEET by Michael Todd (Merin, Mark) (Entered: 04/16/2007)
04/17/2007		RECEIPT number 12964 for \$350.00 for New Case Filing Fee from Mark E. Merin. (Manzer, C) (Entered: 04/17/2007)
04/17/2007	<u>4</u>	SUMMONS ISSUED as to *County Of Solano, Gary R Stanton* with answer to complaint due within *20* days. Attorney *Mark E. Merin* *2001 P Street* *Suite 100* *Sacramento, Ca 95814*. (Manzer, C) (Entered: 04/17/2007)
04/17/2007	<u>5</u>	CIVIL NEW CASE DOCUMENTS ISSUED; (Attachments: # <u>1</u> Consent Forms # <u>2</u> VDRP Forms) (Manzer, C) (Entered: 04/17/2007)
04/20/2007	<u>6</u>	SUMMONS RETURNED EXECUTED by Michael Todd. County Of Solano served on 4/18/2007, answer due 5/8/2007; Gary R Stanton served on 4/18/2007, answer due 5/8/2007. (Merin, Mark) (Entered: 04/20/2007)

05/08/2007	<u>7</u>	STIPULATION for Extension of Time to Respond to Complaint by County Of Solano, Gary R Stanton. Attorney Cassidy, Terence John added. (Cassidy, Terence) (Entered: 05/08/2007)
05/29/2007	<u>8</u>	ANSWER to COMPLAINT with Jury Demand by County Of Solano, Gary R Stanton.(Cassidy, Terence) Modified on 5/31/2007 (Engbretson, K.). (Entered: 05/29/2007)
06/12/2007	<u>9</u>	NOTICE by County Of Solano, Gary R Stanton. of Change of Firm Name (Cassidy, Terence) (Entered: 06/12/2007)
01/02/2008	<u>10</u>	MOTION to COMPEL DOJ's Response to Subpoena Duces Tecum by County Of Solano, Gary R Stanton. Attorney Robertson, Stephen W. added.Motion Hearing set for 1/23/2008 at 10:00 AM in Courtroom 25 (EFB) before Magistrate Judge Edmund F. Brennan. (Robertson, Stephen) (Entered: 01/02/2008)
01/02/2008	<u>11</u>	MEMORANDUM of POINTS and AUTHORITIES in Support of <u>10</u> Motion to Compel by County Of Solano, Gary R Stanton. (Robertson, Stephen) Modified on 1/3/2008 (Engbretson, K.). (Entered: 01/02/2008)
01/02/2008	<u>12</u>	DECLARATION of Stephen W. Robertson in Support of <u>10</u> Motion to Compel by County Of Solano, Gary R Stanton. (Robertson, Stephen) Modified on 1/3/2008 (Engbretson, K.). (Entered: 01/02/2008)
01/03/2008	<u>13</u>	CERTIFICATE of SERVICE by County Of Solano, Gary R Stanton re <u>12</u> DECLARATION, <u>11</u> MEMORANDUM, <u>10</u> MOTION to COMPEL DOJ's Response to Subpoena Duces Tecum. (Robertson, Stephen) (Entered: 01/03/2008)
01/08/2008	<u>14</u>	MINUTE ORDER by CRD:The 01/23/08 hearing on defendants' motion to compel <u>10</u> third party California Department of Justice's compliance with a subpoena duces tecum pursuant to Fed. R. Civ. P. 45(c)(2)(B)(i) is continued to 1/30/2008 at 10:00 AM in Courtroom 25 (EFB) before Magistrate Judge Edmund F. Brennan. The California Department of Justice shall file an opposition, if any, to the motion by January 16, 2008, and defendants shall file a reply thereto, if any, by January 23, 2008. The Clerk is directed to serve this order on the Custodian of Records of the California Department of Justice at 4949 Broadway, Sacramento, California 95820. (Text Only Entry) (Cannarozzi, N) (Entered: 01/08/2008)
01/08/2008		SERVICE BY MAIL: 14 Minute Order served on the Custodian of Records of the California Department of Justice at 4949 Broadway, Sacramento, California 95820.(Cannarozzi, N) (Entered: 01/08/2008)
01/16/2008	<u>15</u>	MEMORANDUM/RESPONSE in OPPOSITION re <u>10</u> MOTION to COMPEL DOJ's Response to Subpoena Duces Tecum and DECLARATION OF ASHANTE L. NORTON Attorney Norton, Ashante Latrice added. (Norton, Ashante) Modified on 1/17/2008 (Dillon, M). (Entered: 01/16/2008)
01/23/2008	<u>16</u>	REPLY to RESPONSE to MOTION re <u>10</u> Motion to Compel Response to Subpoena Duces Tecum. (Robertson, Stephen) Modified on 1/24/2008 (Matson, R). (Entered: 01/23/2008)
01/30/2008	<u>17</u>	MINUTES (Text Only) for MOTION HEARING held on 1/30/2008 before Magistrate Judge Edmund F. Brennan re Deft's Motion to Compel DOJ's Response to Subpoena Duces Tecum <u>10</u> .All parites present. After consideration, the Court granted Deft's Motion for the reasons as stated on the record. Court order to follow. Defendants Counsel Stephen Robertson present.DOJ Counsel Ashante Norton, DAG present. Court Reporter/CD Number: ECRO, CD 1 of 1. (Cannarozzi, N) (Entered: 01/30/2008)
02/01/2008	<u>18</u>	ORDER signed by Magistrate Judge Edmund F. Brennan on 2/1/08 GRANTING <u>10</u> MOTION to COMPEL. The DOJ shall produce the documents responsive to defendants 10/17/07 subpoena duces tecum within ten days.(Dillon, M) (Entered: 02/01/2008)
03/07/2008	<u>19</u>	MINUTE ORDER: from CRD M. Price for Judge Frank C. Damrell, Jr on 3/7/08. A joint status report shall be filed no later than 4/7/2008. The parties are reminded that failure to file a joint status report, in a timely manner, may result in the imposition of sanctions. (Price, M) (Entered: 03/07/2008)

04/07/2008	<u>20</u>	JOINT STATUS REPORT by County Of Solano, Gary R Stanton. (Robertson, Stephen) (Entered: 04/07/2008)
04/17/2008	<u>21</u>	STATUS (PRETRIAL SCHEDULING) ORDER signed by Judge Frank C. Damrell, Jr on 4/16/08. Discovery pre-certification shall be completed by 8/11/08. And Discovery post-certification shall be completed by 6/19/09. Disclosure of Expert Witness: Pre-certification expert disclosure is due 9/08/08. Rebuttals expert disclosures are due by 09/26/08. All pre-certification expert discovery shall be completed by 10/24/08. Motion hearing schedule: Plaintiffs Motion for Class Certification shall be filed by 12/12/08; Defendants opposition shall be filed by 01/09/09. Plaintiffs reply shall be filed by 01/30/09. The hearing on the Motion shall be heard on 2/10/09 at 10:00 a.m. The Final Pretrial Conference is set for 1/15/2010 at 01:30 PM. The Jury Trial is set for 3/23/2010 at 09:00 AM. (Mena-Sanchez, L) (Entered: 04/17/2008)
07/28/2008	<u>22</u>	STIPULATION and PROPOSED ORDER Permitting Plaintiffs to File First Amended Complaint by Michael Todd. (Attachments: # <u>1</u> Exhibit A)(Merin, Mark) (Entered: 07/28/2008)
07/28/2008	<u>23</u>	STIPULATION and PROPOSED ORDER Extending Pre-Certification Discovery Deadline by Michael Todd. (Merin, Mark) (Entered: 07/28/2008)
07/29/2008	<u>24</u>	STIPULATION and ORDER <u>22</u> signed by Judge Frank C. Damrell, Jr on 7/29/08 ORDERING that Plaintiffs' may file their First Amended Complaint. Defendants must file a response to the First Amended Complaint within 20 days of it being electronically filed and served. (Krueger, M) (Entered: 07/29/2008)
07/29/2008	<u>25</u>	First AMENDED COMPLAINT against all defendants by Jamesy K. Davis, DeAngela Harris, Carmen Harris Robinson, Bradley Allen Wolfe, Michael Todd. Attorney Merin, Mark E. added.(Merin, Mark) (Entered: 07/29/2008)
07/31/2008	<u>26</u>	AMENDED STATUS (PRETRIAL SCHEDULING) ORDER signed by Judge Frank C. Damrell, Jr on 7/31/08: After reviewing the parties Stipulation to amended the pre-certification discovery deadline the Court EXTENDS all deadlines as follows: Discovery Pre-Certification shall be completed by 10/24/08, and all Discovery Post-Certification shall be completed by 9/25/09. Experts Disclosures Pre-Certification are due 11/21/08, with Rebuttals due by 12/12/08 and all Pre-Certification Expert Discovery shall be completed by 1/12/09. Post-Certification Expert Disclosures due by 10/9/09, with Rebuttals due by 10/29/09, and Post-Certification Expert Discovery shall be completed by 11/30/09. Pltf's Motion for Class Certification shall be filed by 3/13/09, with Opposition due by 4/10/09, Reply due 5/1/09, and the Hearing on the Motion shall be 5/29/09 at 10:00 AM. Post-Certification Dispositive Motions shall be heard by 1/29/2010. Final Pretrial Conference set for 4/9/2010 at 1:30 PM, and Jury Trial set for 6/15/2010 at 09:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr. (Krueger, M) (Entered: 07/31/2008)
08/18/2008	<u>27</u>	ANSWER to AMENDED COMPLAINT and Demand for Jury Trial by County of Solano, Gary R Stanton.(Cassidy, Terence) (Entered: 08/18/2008)
01/15/2009	<u>28</u>	NOTICE of Unavailability of Counsel by County Of Solano, Gary R Stanton. (Cassidy, Terence) (Entered: 01/15/2009)
03/11/2009	<u>29</u>	STIPULATION and PROPOSED ORDER to re-set hearing on plaintiffs' Motion for Class Certification. (Merin, Mark) Modified on 3/12/2009 (Marciel, M). (Entered: 03/11/2009)
03/12/2009	<u>30</u>	STIPULATION and ORDER <u>29</u> to re-set hearing signed by Judge Frank C. Damrell, Jr. on 3/11/2009. Motion for Class Certification Hearing is CONTINUED to 7/24/2009 at 10:00 AM in Courtroom 2 (FCD). Plaintiffs' Motion shall be filed no later than 5/11/2009; defendants' Opposition shall be filed no later than 6/4/2009; and plaintiffs' Reply shall be filed no later than 6/29/2009. (Marciel, M) (Entered: 03/12/2009)
03/31/2009	<u>31</u>	STIPULATION and PROPOSED ORDER to re-set Briefing Schedule regarding plaintiffs' Motion for Class Certification. (Cassidy, Terence) Modified on 4/2/2009 (Marciel, M). (Entered: 03/31/2009)

04/01/2009	<u>32</u>	STIPULATION and ORDER signed by Judge Frank C. Damrell, Jr on 3/31/09 ORDERING the Plaintiffs' Motion for class certification shall be filed no later than 6/4/09; Defendants' Opposition shall be filed no later than 6/25/09; and Plaintiffs' Reply shall be filed no later than 7/9/09. (Becknal, R) (Entered: 04/01/2009)
06/03/2009	<u>33</u>	STIPULATION and PROPOSED ORDER for Request to Reset Hearing on Plaintiffs' Motion for Class Certification; Continue Post-Certification Cut-Off Dates; Continue Final Pre-Trial Conference; [Proposed] Order by Michael Todd, Jamesy K. Davis, DeAngela Harris, Carmen Harris Robinson, Bradley Allen Wolfe. (Merin, Mark) (Entered: 06/03/2009)
06/04/2009	<u>34</u>	STIPULATION and ORDER signed by Judge Frank C. Damrell, Jr on 6/4/09 ORDERING that the hearing on Plaintiff's MOTION for Class Certification is RESET to 9/18/2009 at 10:00 AM in Courtroom 2 (FCD) before Judge Frank C. Damrell Jr. Plaintiffs' MOTION shall be e-filed and e-served no later than 7/30/09 (before 5:00 p.m.); Defendants' opposition (if any) shall be e-filed and e-served no later than 8/19/09 (before 5:00 p.m.); and Plaintiffs' reply (if any) shall be e-filed and e-served no later than 9/03/09 (before 5:00 p.m.). The post-Certification of Discovery deadline is CONTINUED to 11/30/2009. The Post-Certification Expert Witnesses Disclosures deadline is CONTINUED to 12/11/2009. The last day for Post-Certification expert discovery is to be completed by 1/29/2010. The Final Pretrial Conference, presently set for 4/9/10 is CONTINUED to 5/7/10 at 1:30 P.M. (Mena-Sanchez, L) (Entered: 06/04/2009)
09/03/2009	<u>35</u>	NOTICE of SETTLEMENT ; <i>Request for 30 days to file settlement documents</i> by Michael Todd, County Of Solano, Gary R Stanton, Jamesy K. Davis, DeAngela Harris, Carmen Harris Robinson, Bradley Allen Wolfe. Attorney Merin, Mark E. added. Dismissal due within 20 days pursuant to LR 16-160. (Merin, Mark) (Entered: 09/03/2009)
09/04/2009	<u>36</u>	ORDER RE: SETTLEMENT AND DISPOSITION signed by Judge Frank C. Damrell, Jr. on 9/4/09 ORDERING that pursuant to the representation of the parties, in the above action, the court has determined that this case has settled. In accordance with the provisions of Local Rule 16-160, dispositional documents are to be filed on or before October 9, 2009. All dates/hearings set in this matter, to include any pending motions, are hereby VACATED. FAILURE TO COMPLY WITH THIS ORDER MAY BE GROUNDS FOR THE IMPOSITION OF SANCTIONS ON ANY AND ALL COUNSEL AS WELL AS ANY PARTY OR PARTIES WHO CAUSE NON-COMPLIANCE WITH THIS ORDER. (Becknal, R) (Entered: 09/04/2009)
09/25/2009	<u>37</u>	JOINT MOTION for Order Approving Stipulation of Settlement and Dismissal of Complaint by Michael Todd, County Of Solano, Gary R Stanton, Jamesy K. Davis, DeAngela Harris, Carmen Harris Robinson, Bradley Allen Wolfe. (Attachments: # <u>1</u> Points and Authorities, # <u>2</u> Declaration of Mark E. Merin, # <u>3</u> Exhibit A # <u>4</u> Proposed Order, # <u>5</u> Exhibit A to Proposed Order)(Merin, Mark) Modified on 9/28/2009 (Duong, D). (Entered: 09/25/2009)
09/29/2009	<u>38</u>	ORDER signed by Judge Frank C. Damrell, Jr on 9/28/09 ORDERING the settlement is APPROVED; complaint is DISMISSED; and the claims of pltf's are DISMISSED WITHOUT PREJUDICE. CASE CLOSED. (Carlos, K) (Entered: 09/29/2009)