

CONSENT, CIVIL, CLOSED

**U.S. District Court
Eastern District of California – Live System (Fresno)
CIVIL DOCKET FOR CASE #: 1:07-cv-00474-DLB**

Lopez et al., v. Youngblood et al.,
Assigned to: Magistrate Judge Dennis L. Beck
Case in other court: U.S.C.A., 09-16006
Cause: 42:1983 Civil Rights Act

Date Filed: 03/27/2007
Date Terminated: 08/31/2011
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Marsial Lopez

represented by **Barrett S. Litt**
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Plaintiff

Sandra Chavez

represented by **Barrett S. Litt**
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Paul J. Estuar

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Terence John Cassidy

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Plaintiff

Theodore Medina

represented by **Barrett S. Litt**

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**Donald W. Cook – OPT OUT
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Terence John Cassidy

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V.

Defendant

Donny Youngblood

represented by **Jennifer Leigh Thurston**

Office of the County Counsel, County of
Kern

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TERMINATED: 12/08/2009

LEAD ATTORNEY

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Defendant

County of Kern

represented by **Jennifer Leigh Thurston**
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TERMINATED: 12/08/2009
LEAD ATTORNEY

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(See above for address)
LEAD ATTORNEY
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Terence John Cassidy
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Kern County Sheriff's Department
a California public entity

represented by **Jennifer Leigh Thurston**
(See above for address)
TERMINATED: 12/08/2009
LEAD ATTORNEY

Mark Lloyd Nations
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Terence John Cassidy
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Defendant

Mack Wimbish
Former Sheriff

represented by **Jennifer Leigh Thurston**
(See above for address)
TERMINATED: 12/08/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark Lloyd Nations
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Terence John Cassidy
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/27/2007	<u>1</u>	COMPLAINT /Class Action Complaint for Damages, against all defendants by Marsial Lopez. Attorney Cook – OPT OUT ATTORNEY, Donald W. added.(Cook – OPT OUT ATTORNEY, Donald) (Entered: 03/27/2007)
03/27/2007	<u>2</u>	CIVIL COVER SHEET by Marsial Lopez (Cook – OPT OUT ATTORNEY, Donald) (Entered: 03/27/2007)
03/27/2007	<u>3</u>	CLERK'S NOTICE: Attn: Barrett S. Litt &Paul J. Estuar ~ You are not admitted to practice in the Eastern District of CA. Please return the attached petition along with the admission fee as soon as possible. (Kusamura, W) (Entered: 03/27/2007)

03/27/2007		RECEIPT number 100 204810 for \$350.00 for Civil Filing Fee from Donald W. Cook. (Carter-Ford, R) (Entered: 03/27/2007)
03/27/2007	<u>5</u>	PRISONER NEW CASE DOCUMENTS ISSUED; (Attachments: # <u>1</u> Consent Forms) (Carter-Ford, R) (Entered: 03/27/2007)
03/27/2007		SERVICE BY MAIL: <u>5</u> Prisoner New Case Documents for LJO served on Donald W. Cook – OPT OUT ATTORNEY. <u>3</u> Clerk's Notice served on Paul J. Estuar – NOT EDCA ADMITTED, Barrett S. Litt – NOT EDCA ADMITTED. (Carter-Ford, R) (Entered: 03/27/2007)
04/05/2007	<u>6</u>	CONSENT to JURISDICTION by US MAGISTRATE JUDGE by Marsial Lopez (signed by Attorney Paul Estuar). (Rooney, M) (Entered: 04/09/2007)
04/05/2007	<u>7</u>	CONSENT to JURISDICTION by US MAGISTRATE JUDGE by Marsial Lopez (signed by Attorney Barrett S. Litt). (Rooney, M) (Entered: 04/09/2007)
05/01/2007	<u>8</u>	ORDER directing Clerk of the Court to Redesignate Case to Reflect that it is a Regular Civil Action, signed by Judge Dennis L. Beck on 4/30/07. (Gil-Garcia, A) (Entered: 05/01/2007)
05/01/2007		SERVICE BY MAIL: <u>8</u> Order served on Donald W. Cook – OPT OUT ATTORNEY (Gil-Garcia, A) (Entered: 05/01/2007)
05/02/2007	<u>9</u>	CIVIL NEW CASE DOCUMENTS ISSUED; Initial Scheduling Conference set for 10/23/2007 at 08:15 AM in Courtroom 4(LJO) before District Judge Lawrence J. O'Neill. (Attachments: # <u>1</u> Consent Forms # <u>2</u> VDRP Forms) (Gil-Garcia, A) (Entered: 05/02/2007)
05/02/2007		SERVICE BY MAIL: <u>9</u> Civil New Case Documents for LJO served on Donald W. Cook – OPT OUT ATTORNEY (Gil-Garcia, A) (Entered: 05/02/2007)
06/21/2007	<u>10</u>	<i>First</i> AMENDED COMPLAINT against all defendants by Marsial Lopez.(Litt, Barrett) (Entered: 06/21/2007)
06/22/2007	<u>11</u>	**PLEASE DISREGARD THIS ENTRY** SUMMONS ISSUED as to *Kern County Sheriff's Department* with answer to complaint due within *20* days. Attorney *Paul Estuar* *1055 Wilshire Blvd.* *Ste. 1880* *Los Angeles, CA 90017*. (Kirkpatrick, S) Modified on 6/22/2007 (Matson, R). (Entered: 06/22/2007)
06/22/2007		SERVICE BY MAIL: <u>11</u> Summons, served on Donald W. Cook – OPT OUT ATTORNEY. (Kirkpatrick, S) (Entered: 06/22/2007)
06/22/2007	<u>12</u>	**PLEASE DISREGARD THIS ENTRY** SUMMONS ISSUED as to *Mack Wimbish, Donny Youngblood, County of Kern* with answer to complaint due within *20* days. Attorney *Paul J. Estuar* *Litt Estuar Harrison Miller & Kitson* *1055 Wilshire Blvd., Ste. 1800* *Los Angeles, CA 90017*. (Hellings, J) Modified on 6/22/2007 (Matson, R). (Entered: 06/22/2007)
06/22/2007	<u>13</u>	AMENDED SUMMONS ISSUED as to *Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish* with answer to complaint due within *20* days. Attorney *Paul J. Estuar* *1055 Wilshire Blvd.* *Suite 1880* *Los Angeles, Ca 90017*. (Matson, R) Modified on 6/22/2007 (Matson, R). (Entered: 06/22/2007)
07/16/2007	<u>14</u>	ANSWER to AMENDED COMPLAINT by Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish. Attorney Thurston, Jennifer Leigh added.(Thurston, Jennifer) (Entered: 07/16/2007)
07/16/2007	<u>15</u>	CERTIFICATE of SERVICE by Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish re <u>14</u> Answer to Amended Complaint. (Thurston, Jennifer) (Entered: 07/16/2007)
07/17/2007	<u>16</u>	NOTICE by all plaintiffs. <i>SERVICE OF JUDGE O'NEILL'S ORDER</i> (Estuar, Paul) (Entered: 07/17/2007)
08/13/2007	<u>17</u>	CERTIFICATE of SERVICE by Marsial Lopez. (Attachments: # <u>1</u> Certificate Certificates of Service)(Estuar, Paul) (Entered: 08/13/2007)

10/12/2007	<u>18</u>	JOINT STATUS REPORT by Marsial Lopez. (Estuar, Paul) (Entered: 10/12/2007)
10/23/2007	19	MINUTES (Text Only) for proceedings held before Judge Lawrence J. O'Neill : SCHEDULING CONFERENCE held on 10/23/2007. Order to follow. (Lira, I) (Entered: 10/24/2007)
10/24/2007	<u>20</u>	PRELIMINARY SCHEDULING ORDER signed by Judge Lawrence J. O'Neill on 10/23/2007. Discovery cutoff re class certification only due by 1/18/2008; Filing the Motion due by 3/17/2008; Opposition to the Motion due by 4/17/2008; Reply due by 04/28/2008; Motion Hearing set for 5/8/2008 at 08:30 AM in Courtroom 4(LJO) before District Judge Lawrence J. O'Neill. (Flores, E) (Entered: 10/24/2007)
10/24/2007		SERVICE BY MAIL: <u>20</u> Order served on Donald W. Cook – OPT OUT ATTORNEY. (Flores, E) (Entered: 10/24/2007)
10/25/2007	<u>21</u>	CONSENT to JURISDICTION by US MAGISTRATE JUDGE by Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish. (Thurston, Jennifer) (Entered: 10/25/2007)
10/25/2007	<u>22</u>	CERTIFICATE of SERVICE by Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish re <u>21</u> Consent to Jurisdiction by US Magistrate Judge. (Thurston, Jennifer) (Entered: 10/25/2007)
10/26/2007	<u>23</u>	STIPULATION and PROPOSED ORDER Protective Order by Marsial Lopez. (Estuar, Paul) (Entered: 10/26/2007)
10/26/2007	<u>24</u>	CONSENT ORDER REASSIGNING CASE for all purposes to Magistrate Judge Dennis L. Beck signed by Judge Lawrence J. O'Neill on 10/26/2007. (Esteves, C) (Entered: 10/26/2007)
10/26/2007		SERVICE BY MAIL: <u>24</u> Consent Order Reassigning Case to Magistrate Judge served on Donald W. Cook – OPT OUT ATTORNEY. (Esteves, C) (Entered: 10/26/2007)
10/31/2007	<u>25</u>	STIPULATED PROTECTIVE ORDER signed by Judge Dennis L. Beck on 10/31/2007. (Lucas, G) (Entered: 10/31/2007)
11/15/2007	26	MINUTE ORDER: (TEXT ENTRY ONLY) Due to the Consent to Proceed before Magistrate Judge Beck ORDER issued on 10/24/2007. The Preliminary Scheduling Order remains the same, except for the Motion Hearing date is set for 5/9/2008 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck (MOTION Hearing will not be heard before Judge O'Neill on 5/8/2008). (Hernandez, M) (Entered: 11/15/2007)
01/10/2008	<u>27</u>	ASSOCIATION of ATTORNEY: Added attorney Terence John Cassidy and Terence John Cassidy for County of Kern. (Cassidy, Terence) (Entered: 01/10/2008)
01/14/2008	<u>28</u>	STIPULATION and PROPOSED ORDER Stipulation to Continue Discovery Cut-Off by Marsial Lopez, Sandra Chavez, Theodore Medina. (Estuar, Paul) (Entered: 01/14/2008)
01/15/2008	<u>29</u>	STIPULATION and ORDER Continuing Class Discovery Cut-Off Date to February 15, 2008 signed by Judge Dennis L. Beck on 1/14/08. Discovery due by 2/15/2008. (Verduzco, M) (Entered: 01/15/2008)
01/15/2008		SERVICE BY MAIL: <u>29</u> Stipulation and Order served on Donald W. Cook – OPT OUT ATTORNEY. (Verduzco, M) (Entered: 01/15/2008)
03/12/2008	<u>30</u>	STIPULATION and PROPOSED ORDER STIPULATION TO EXTEND DATES by Marsial Lopez, Sandra Chavez, Theodore Medina. (Attachments: # <u>1</u> Proposed Order TO EXTEND DATES)(Litt, Barrett) (Entered: 03/12/2008)
03/12/2008	<u>31</u>	PROPOSED ORDER REVISED Proposed Order re <u>30</u> Stipulation and Proposed Order by Marsial Lopez, Sandra Chavez, Theodore Medina. (Litt, Barrett) (Entered: 03/12/2008)

03/14/2008	<u>32</u>	ORDER re: Class Discovery Cut-off and Briefing Schedule on Plaintiffs' Motion for Class Certification signed by Magistrate Judge Dennis L. Beck on 3/13/08. <i>Class Certification Discovery due by 5/15/2008; Plaintiffs' Opening Brief on Class Certification due by 6/17/2008; Defendants' Opposition due by 7/17/2008; Plaintiffs' Reply Brief due by 7/28/2008; Motion Hearing set for 8/29/2008 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck.</i> (Verduzco, M) (Entered: 03/14/2008)
03/14/2008		SERVICE BY MAIL: <u>32</u> Order served on Donald W. Cook – OPT OUT ATTORNEY. (Verduzco, M) (Entered: 03/14/2008)
06/17/2008	<u>33</u>	MOTION to CERTIFY CLASS <i>and Notice of Motion</i> by Marsial Lopez, Sandra Chavez, Theodore Medina. Motion Hearing set for 8/29/2008 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Attachments: # <u>1</u> Points and Authorities for Class Certification Motion)(Litt, Barrett) (Entered: 06/17/2008)
06/17/2008	<u>34</u>	DECLARATION of Barrett S. Litt in Support of re <u>33</u> MOTION to CERTIFY CLASS <i>and Notice of Motion</i> . (Attachments: # <u>1</u> Exhibit 1 to Litt Declaration, # <u>2</u> Exhibit 2 to Litt Declaration, # <u>3</u> Exhibit 3 to Litt Declaration, # <u>4</u> Exhibit 4 to Litt Declaration, # <u>5</u> Exhibit 5 to Litt Declaration, # <u>6</u> Exhibit 6 to Litt Declaration, # <u>7</u> Exhibit 7 to Litt Declaration, # <u>8</u> Exhibit 8 to Litt Declaration, # <u>9</u> Exhibit 9 to Litt Declaration, # <u>10</u> Exhibit 10 to Litt Declaration)(Litt, Barrett) (Entered: 06/17/2008)
06/20/2008	<u>35</u>	NOTICE OF ERRATA by all plaintiffs re <u>34</u> . (Attachments: # <u>1</u> Declaration of Marsial Lopez, Executed)(Litt, Barrett) (Entered: 06/20/2008)
07/17/2008	<u>36</u>	MOTION for SUMMARY JUDGMENT <i>DEFENDANTS JOINT NOTICE OF MOTION FOR SUMMARY ADJUDICATION</i> by Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish. Attorney Cassidy, Terence John added. Motion Hearing set for 8/29/2008 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Cassidy, Terence) (Entered: 07/17/2008)
07/17/2008	<u>37</u>	MEMORANDUM/RESPONSE in SUPPORT. <i>DEFENDANTS JOINT MOTION FOR SUMMARY ADJUDICATION; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR SUMMARY ADJUDICATION</i> (Cassidy, Terence) (Entered: 07/17/2008)
07/17/2008	<u>38</u>	STATEMENT of UNDISPUTED MATERIAL FACTS IN SUPPORT OF MOTION FOR SUMMARY ADJUDICATION by Defendants Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish. (Cassidy, Terence) (Entered: 07/17/2008)
07/17/2008	<u>39</u>	DECLARATION of Ian Silva in Support of. <i>Defendants' Joint Motion for Summary Adjudication</i> (Cassidy, Terence) (Entered: 07/17/2008)
07/17/2008	<u>40</u>	DECLARATION of Terence J. Cassidy in Support of. <i>Defendants' Joint Motion for Summary Adjudication</i> (Cassidy, Terence) (Entered: 07/17/2008)
07/17/2008	<u>41</u>	MEMORANDUM/RESPONSE in OPPOSITION. <i>DEFENDANTS JOINT OPPOSITION TO PLAINTIFFS MOTION FOR CLASS CERTIFICATION</i> (Cassidy, Terence) (Entered: 07/17/2008)
07/17/2008	<u>42</u>	DECLARATION of Ian Silva in Support of. <i>DEFENDANTS JOINT OPPOSITION TO PLAINTIFFS MOTION FOR CLASS CERTIFICATION</i> (Cassidy, Terence) (Entered: 07/17/2008)
07/17/2008	<u>43</u>	DECLARATION of Terence J. Cassidy in Support of. <i>DEFENDANTS JOINT OPPOSITION TO PLAINTIFFS MOTION FOR CLASS CERTIFICATION</i> (Cassidy, Terence) (Entered: 07/17/2008)
07/18/2008	<u>44</u>	NOTICE <i>DEFENDANTS JOINT NOTICE OF FILING RELATED MOTION IN CONJUNCTION WITH OPPOSITION TO PLAINTIFFS MOTION FOR CLASS CERTIFICATION [L.R. 78-230(e)]</i> by Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish. (Cassidy, Terence) (Entered: 07/18/2008)

07/21/2008	<u>45</u>	MINUTE ORDER: (TEXT ENTRY ONLY) DUE TO THE COURT'S SCHEDULE. The Court has RESET THE FOLLOWING MOTION HEARINGS as to <u>33</u> MOTION to CERTIFY CLASS and <i>Notice of Motion</i> , <u>36</u> MOTION for SUMMARY JUDGMENT <i>DEFENDANTS JOINT NOTICE OF MOTION FOR SUMMARY ADJUDICATION</i> : Motion Hearing RESET from 8/29/2008 to 9/5/2008 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Hernandez, M) (Entered: 07/21/2008)
07/28/2008	<u>46</u>	REPLY to RESPONSE to MOTION. <i>for Class Certification</i> (Estuar, Paul) (Entered: 07/28/2008)
07/28/2008	<u>47</u>	MOTION to STRIKE <i>Declaration in Support of Opposition to Class Certification</i> by Marsial Lopez, Sandra Chavez, Theodore Medina. Motion Hearing set for 9/5/2008 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Attachments: # <u>1</u> Proposed Order Re Motion to Strike)(Estuar, Paul) (Entered: 07/28/2008)
07/28/2008	<u>48</u>	OBJECTIONS by Plaintiffs Marsial Lopez, Sandra Chavez, Theodore Medina. <i>to Declaration in Support of Opposition to Motion for Class Certification</i> (Estuar, Paul) (Entered: 07/28/2008)
08/14/2008	<u>49</u>	STIPULATION and PROPOSED ORDER for Continuance by Marsial Lopez, Sandra Chavez, Theodore Medina. (Attachments: # <u>1</u> Proposed Order For Continuance)(Estuar, Paul) (Entered: 08/14/2008)
08/20/2008	<u>50</u>	ORDER signed by Magistrate Judge Dennis L. Beck on 08/18/2008 re Class Discovery Cut-off and Briefing Schedule on Plaintiffs Motion for Class Certification re <u>33</u> MOTION to CERTIFY CLASS, <u>36</u> MOTION for SUMMARY JUDGMENT, <u>45</u> Minute Order and <u>47</u> MOTION to STRIKE. (Motion Hearings are re-set for 10/17/2008 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck.). (Lundstrom, T) (Entered: 08/20/2008)
08/20/2008		SERVICE BY MAIL: <u>50</u> Order served on Donald W. Cook – OPT OUT ATTORNEY. (Lundstrom, T) (Entered: 08/20/2008)
08/28/2008	<u>51</u>	MINUTES (Text Only) for proceedings held before Magistrate Judge Dennis L. Beck: TELEPHONIC STATUS CONFERENCE held on 8/28/2008. The parties shall submit a proposed stipulation and order for the Court to review. Plaintiffs Counsel Barrett Litt. Defendants Counsel Jennifer Thurston, Terence Cassidy. Court Reporter/CD Number: In Chambers. (Hernandez, M) (Entered: 08/28/2008)
09/09/2008	<u>52</u>	STIPULATION and PROPOSED ORDER Joint Stipulation to Continue Dates by Marsial Lopez, Sandra Chavez, Theodore Medina. (Attachments: # <u>1</u> Proposed Order to Continue Dates)(Estuar, Paul) (Entered: 09/09/2008)
09/15/2008	<u>53</u>	ORDER Re: Schedule for Briefing and Hearing Dates, signed by Magistrate Judge Dennis L. Beck on 9/10/2008. (Sondheim, M) (Entered: 09/15/2008)
09/15/2008		SERVICE BY MAIL: <u>53</u> Order served on Donald W. Cook – OPT OUT ATTORNEY. (Sondheim, M) (Entered: 09/15/2008)
09/16/2008	<u>54</u>	OPPOSITION by Marsial Lopez, Sandra Chavez, Theodore Medina. <i>Plaintiffs' Opposition to Defendants' Motion for Summary Adjudication</i> (Estuar, Paul) (Entered: 09/16/2008)
09/16/2008	<u>55</u>	STATEMENT of Disputed and Undisputed Facts in Support of Plaintiffs' Opposition by Plaintiffs Marsial Lopez, Sandra Chavez, Theodore Medina re <u>54</u> Opposition to Motion. (Estuar, Paul) (Entered: 09/16/2008)
09/16/2008	<u>56</u>	OBJECTIONS by Plaintiffs Marsial Lopez, Sandra Chavez, Theodore Medina. <i>Plaintiffs' Objections to the Declaration of Ian Silva</i> (Estuar, Paul) (Entered: 09/16/2008)
09/16/2008	<u>57</u>	DECLARATION of Paul J. Estuar re <u>54</u> Opposition to Motion. (Attachments: # <u>1</u> Exhibit 1 to Estuar Declaration, # <u>2</u> Exhibit 2 to Estuar Declaration, # <u>3</u> Exhibit 5 to Estuar Declaration, # <u>4</u> Exhibit 7 to Estuar Declaration, # <u>5</u> Exhibit 11 to Estuar Declaration, # <u>6</u> Exhibit 12 to Estuar Declaration, # <u>7</u> Exhibit 13 to Estuar Declaration)(Estuar, Paul) (Entered: 09/16/2008)

10/03/2008	<u>58</u>	REPLY by Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish to RESPONSE. <i>DEFENDANTS JOINT REPLY TO PLAINTIFFS OPPOSITION TO DEFENDANTS MOTION FOR SUMMARY ADJUDICATION</i> (Cassidy, Terence) (Entered: 10/03/2008)
10/03/2008	<u>59</u>	STATEMENT of DEFENDANTS JOINT REPLY TO PLAINTIFFS STATEMENT OF DISPUTED AND UNDISPUTED MATERIAL FACTS IN OPPOSITION TO DEFENDANTS MOTION FOR SUMMARY ADJUDICATION by Defendants Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish. (Cassidy, Terence) (Entered: 10/03/2008)
10/03/2008	<u>60</u>	OBJECTIONS by Defendants Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish. <i>DEFENDANTS JOINT OBJECTIONS TO DECLARATION OF PAUL J. ESTUAR IN SUPPORT OF PLAINTIFFS OPPOSITION TO DEFENDANTS JOINT MOTION FOR SUMMARY ADJUDICATION</i> (Cassidy, Terence) (Entered: 10/03/2008)
10/03/2008	<u>61</u>	OPPOSITION by Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish. <i>DEFENDANTS JOINT OPPOSITION TO PLAINTIFFS MOTION TO STRIKE DECLARATION OF IAN SILVA</i> (Cassidy, Terence) (Entered: 10/03/2008)
10/15/2008	<u>62</u>	STATEMENT of DEFENDANTS' WITHDRAWAL OF CERTAIN EVIDENTIARY OBJECTIONS by Defendants Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish re <u>36</u> MOTION for SUMMARY JUDGMENT <i>DEFENDANTS JOINT NOTICE OF MOTION FOR SUMMARY ADJUDICATION</i> . (Thurston, Jennifer) (Entered: 10/15/2008)
11/07/2008	<u>63</u>	MOTION for SUMMARY JUDGMENT <i>Defendants' Joint Motion for Summary Adjudication Regarding Court Returnees, Qualified Immunity and Eleventh Amendment Immunity</i> by County of Kern. Motion Hearing set for 12/19/2008 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Cassidy, Terence) (Entered: 11/07/2008)
11/07/2008	<u>64</u>	MEMORANDUM by County of Kern. <i>Defendants' Joint Motion for Summary Adjudication Regarding Court Returnees, Qualified Immunity and Eleventh Amendment Immunity</i> (Cassidy, Terence) (Entered: 11/07/2008)
11/07/2008	<u>65</u>	STATEMENT of Defendants' Joint Separate Statement of Undisputed Material Facts in Support of Defendants' Motion for Summary Adjudication Regarding Court Returnees, Qualified Immunity and Eleventh Amendment Immunity by Defendant County of Kern. (Cassidy, Terence) (Entered: 11/07/2008)
11/07/2008	<u>66</u>	DECLARATION of Ian Silva in Support Of <u>63</u> MOTION for SUMMARY JUDGMENT <i>Defendants' Joint Motion for Summary Adjudication Regarding Court Returnees, Qualified Immunity and Eleventh Amendment Immunity</i> . (Cassidy, Terence) (Entered: 11/07/2008)
11/07/2008	<u>67</u>	MOTION for SUMMARY JUDGMENT , <i>Plaintiffs Notice of Motion for Partial Summary Judgment And/Or Summary Adjudication</i> , by Marsial Lopez, Sandra Chavez, Theodore Medina. Motion Hearing set for 12/19/2008 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Cook – OPT OUT ATTORNEY, Donald) (Entered: 11/07/2008)
11/07/2008	<u>68</u>	STATEMENT of UNDISPUTED FACTS IN SUPPORT OF PLAINTIFFS MOTION FOR SUMMARY ADJUDICATION by Plaintiffs Marsial Lopez, Sandra Chavez, Theodore Medina re <u>67</u> MOTION for SUMMARY JUDGMENT , <i>Plaintiffs Notice of Motion for Partial Summary Judgment And/Or Summary Adjudication</i> ,. (Cook – OPT OUT ATTORNEY, Donald) (Entered: 11/07/2008)
11/07/2008	<u>69</u>	MEMORANDUM by Marsial Lopez, Sandra Chavez, Theodore Medina in SUPPORT of <u>67</u> MOTION for SUMMARY JUDGMENT , <i>Plaintiffs Notice of Motion for Partial Summary Judgment And/Or Summary Adjudication</i> ,. (Cook – OPT OUT ATTORNEY, Donald) (Entered: 11/07/2008)
11/07/2008	<u>70</u>	DECLARATION of DONALD W. COOK in SUPPORT OF <u>67</u> MOTION for SUMMARY JUDGMENT , <i>Plaintiffs Notice of Motion for Partial Summary</i>

		<i>Judgment And/Or Summary Adjudication</i> ,. (Cook – OPT OUT ATTORNEY, Donald) (Entered: 11/07/2008)
11/12/2008	<u>71</u>	MOTION to AMEND the COMPLAINT amending <u>10</u> Amended Complaint <i>NOTICE OF MOTION AND MOTION TO FILE SECOND AMENDED COMPLAINT</i> by Marsial Lopez, Sandra Chavez, Theodore Medina. Motion Hearing set for 12/15/2008 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Estuar, Paul) (Entered: 11/12/2008)
11/12/2008	<u>72</u>	DECLARATION of Paul J. Estuar in In Support Of <u>71</u> MOTION to AMEND the COMPLAINT amending <u>10</u> Amended Complaint <i>NOTICE OF MOTION AND MOTION TO FILE SECOND AMENDED COMPLAINT</i> MOTION to AMEND the COMPLAINT amending <u>10</u> Amended Complaint <i>NOTICE OF MOTION AND MOTION TO FILE SECOND AMENDED COMPLAINT</i> . (Attachments: # <u>1</u> Exhibit A & B to Estuar Declaration)(Estuar, Paul) (Entered: 11/12/2008)
11/12/2008	<u>73</u>	PROPOSED ORDER Proposed Order re <u>71</u> MOTION to AMEND the COMPLAINT amending <u>10</u> Amended Complaint <i>NOTICE OF MOTION AND MOTION TO FILE SECOND AMENDED COMPLAINT</i> MOTION to AMEND the COMPLAINT amending <u>10</u> Amended Complaint <i>NOTICE OF MOTION AND MOTION TO FILE SECOND AMENDED COMPLAINT</i> . (Estuar, Paul) (Entered: 11/12/2008)
11/14/2008	74	MINUTE ORDER: (TEXT ENTRY ONLY) THE COURT RESETS THE MOTION HEARING as to <u>71</u> NOTICE OF MOTION AND MOTION TO FILE SECOND AMENDED COMPLAINT MOTION to AMEND the COMPLAINT <u>10</u> Amended Complaint: Motion Hearing RESET from 12/15/2008 to 12/19/2008 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Hernandez, M) (Entered: 11/14/2008)
11/14/2008		SERVICE BY MAIL: 74 Minute Order Reset Motion Hearing served on Donald W. Cook – OPT OUT ATTORNEY (Hernandez, M) (Entered: 11/14/2008)
11/21/2008	<u>75</u>	OPPOSITION by County of Kern. <i>Defendants' Joint Opposition to Plaintiffs' Cross-Motion for Summary Adjudication</i> (Cassidy, Terence) (Entered: 11/21/2008)
11/21/2008	<u>76</u>	STATEMENT of Defendants' Joint Reply to Plaintiffs' Separate Statement of Undisputed Material Facts in Support of Plaintiffs' Cross-Motion for Summary Adjudication by Defendant County of Kern. (Cassidy, Terence) (Entered: 11/21/2008)
11/21/2008	<u>77</u>	OBJECTIONS by Defendant County of Kern. <i>Defendants' Joint Objections to Declaration of Donald W. Cook in Support of Plaintiffs' Cross-Motion for Summary Adjudication</i> (Cassidy, Terence) (Entered: 11/21/2008)
11/21/2008	<u>78</u>	OPPOSITION by Marsial Lopez, Sandra Chavez, Theodore Medina to <u>63</u> MOTION for SUMMARY JUDGMENT <i>Defendants' Joint Motion for Summary Adjudication Regarding Court Returnees, Qualified Immunity and Eleventh Amendment Immunity. Plaintiffs Memorandum of Law in Opposition to Defendants Second of Motion for Summary Judgment And/Or Summary Adjudication</i> (Cook – OPT OUT ATTORNEY, Donald) (Entered: 11/21/2008)
11/21/2008	<u>79</u>	STATEMENT of Plaintiffs Response to Defendants Joint Statement of Undisputed Material Facts by Plaintiffs Marsial Lopez, Sandra Chavez, Theodore Medina re <u>65</u> Statement – R,. (Cook – OPT OUT ATTORNEY, Donald) (Entered: 11/21/2008)
11/21/2008	<u>80</u>	DECLARATION of Barrett S. Litt & Donald W. Cook in OPPOSITION TO <u>63</u> MOTION for SUMMARY JUDGMENT <i>Defendants' Joint Motion for Summary Adjudication Regarding Court Returnees, Qualified Immunity and Eleventh Amendment Immunity</i> . (Cook – OPT OUT ATTORNEY, Donald) (Entered: 11/21/2008)
12/02/2008	<u>81</u>	OPPOSITION by County of Kern. <i>Defendants' Joint Opposition to Plaintiffs' Motion to Amend Complaint</i> (Cassidy, Terence) (Entered: 12/02/2008)
12/05/2008	<u>82</u>	REPLY by County of Kern to RESPONSE. <i>Defendants' Joint Reply to Opposition to Cross-Motion for Summary Adjudication Regarding Qualified Immunity and</i>

		<i>Eleventh Amendment Issues</i> (Cassidy, Terence) (Entered: 12/05/2008)
12/05/2008	<u>83</u>	REPLY/RESPONSE to Defendants' Joint Reply to Plaintiffs' Responses to Defendants' Joint Statement of Undisputed Material Facts; Defendants' Joint Objections and Responses to Plaintiffs' Material Facts by County of Kern. (Cassidy, Terence) (Entered: 12/05/2008)
12/05/2008	<u>84</u>	OPPOSITION by Marsial Lopez, Sandra Chavez, Theodore Medina. <i>Opposition to Defendants' Motion to Strike Declaration of Donald Cook</i> (Estuar, Paul) (Entered: 12/05/2008)
12/05/2008	<u>85</u>	REPLY by Marsial Lopez, Sandra Chavez, Theodore Medina to RESPONSE. <i>RESPONSE to Defendants' reply to Plaintiffs' Separate Statement</i> (Estuar, Paul) (Entered: 12/05/2008)
12/05/2008	<u>86</u>	REPLY by Marsial Lopez, Sandra Chavez, Theodore Medina to RESPONSE. <i>REPLY to Defendants' Opposition to Motion to file Second Amended Complaint</i> (Estuar, Paul) (Entered: 12/05/2008)
12/06/2008	<u>87</u>	REPLY by Marsial Lopez, Sandra Chavez, Theodore Medina to RESPONSE to <u>67</u> MOTION for SUMMARY JUDGMENT , <i>Plaintiffs Notice of Motion for Partial Summary Judgment And/Or Summary Adjudication.</i> <i>Plaintiffs Reply to Defendants Opposition to Plaintiffs Motion for Summary Adjudication;</i> <i>Reply Declaration of Donald W. Cook</i> (Cook – OPT OUT ATTORNEY, Donald) (Entered: 12/06/2008)
12/19/2008	88	MINUTES (Text Only) for proceedings held before Magistrate Judge Dennis L. Beck: MOTION HEARING RE MOTION TO CERTIFY CLASS, DEFENDANTS MOTION FOR SUMMARY JUDGMENT, PLAINTIFF'S MOTION TO STRIKE, PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT, PLAINTIFF'S MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT held on 12/19/2008, MOTIONS SUBMITTED. The Court to Issue Order Plaintiffs Counsel Barrett Litt, Donald Cook present. Defendants Counsel Jennifer Thurston, Terence Cassidy present. Court Reporter/CD Number: ECRO. (Hernandez, M) (Entered: 12/22/2008)
03/10/2009	<u>89</u>	SUPPLEMENT by Marsial Lopez, Sandra Chavez, Theodore Medina re <u>69</u> Memorandum in Support of Motion. <i>Submission of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit to Supplemental Authority)(Estuar, Paul) (Entered: 03/10/2009)
03/31/2009	<u>90</u>	ORDER Granting Plaintiff's Motion for Leave to File Second Amended Complaint <u>71</u> , signed by Magistrate Judge Dennis L. Beck on 3/31/09. (Verduzco, M) (Entered: 03/31/2009)
03/31/2009		SERVICE BY MAIL: <u>90</u> Order served on Donald W. Cook – OPT OUT ATTORNEY (Verduzco, M) (Entered: 03/31/2009)
03/31/2009	<u>91</u>	ORDER GRANTING IN PART AND DENYING IN PART <u>36</u> Defendant's Motion for Summary Judgment; GRANTING IN PART AND DENYING IN PART <u>63</u> Defendant's Joint Motion for Summary Judgment; GRANTING IN PART AND DENYING IN PART <u>67</u> Plaintiff's Motion for Summary Judgment signed by Magistrate Judge Dennis L. Beck on 3/31/2009. (Hernandez, M) (Entered: 04/01/2009)
04/01/2009	<u>92</u>	ORDER GRANTING <u>33</u> Plaintiff's Motion to Certify Class and ORDER DENYING AS MOOT <u>47</u> Plaintiff's Motion to Strike. The Court sets a Status Conference for 5/4/2009 at 9:00 am before Magistrate Judge Beck signed by Magistrate Judge Dennis L. Beck on 4/1/2009. (Hernandez, M) (Entered: 04/01/2009)
04/28/2009	<u>93</u>	NOTICE of APPEAL by Donny Youngblood, Mack Wimbish as to <u>91</u> Order on Motion for Summary Judgment,,,,, (Attachments: # <u>1</u> Civil Appeals Docketing Statement, # <u>2</u> Representation Statement)(Thurston, Jennifer) (Entered: 04/28/2009)
04/28/2009	<u>94</u>	MOTION for JUDGMENT <i>ON SPECIFIED CLAIMS AND CERTIFICATION OF CLAIMS FOR APPEAL AND</i> , MOTION to STAY (Motion Hearing set for 5/29/2009 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L.

		Beck.) by Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish. (Attachments: # <u>1</u> Points and Authorities, # <u>2</u> Declaration, # <u>3</u> Proposed Order)(Thurston, Jennifer) (Entered: 04/28/2009)
04/28/2009		RECEIPT number #CAE100006781 \$455.00 fbo Donny Youngblood by Karen Kitchen on 4/28/2009. (Jessen, A) (Entered: 04/28/2009)
04/30/2009	<u>96</u>	MINUTE ORDER: (TEXT ENTRY ONLY) Pursuant to agreement by all parties. The Telephonic Status Conference IS RESET from 5/4/2009 to 5/26/2009 at 09:15 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Hernandez, M) (Entered: 04/30/2009)
04/30/2009		SERVICE BY MAIL: 96 Minute Order, Reset TELEPHONIC Status Conference – served on Donald W. Cook (Hernandez, M) (Entered: 04/30/2009)
05/12/2009	<u>97</u>	TRANSCRIPT REQUEST by Donny Youngblood, Mack Wimbish re <u>93</u> Notice of Appeal (Thurston, Jennifer) (Entered: 05/12/2009)
05/13/2009	<u>98</u>	APPEAL PROCESSED to Ninth Circuit re <u>93</u> Notice of Appeal filed by Mack Wimbish, Donny Youngblood. Filed dates for Notice of Appeal *4/28/2009*, Complaint *3/27/2007* and Appealed Order / Judgment *3/31/2009*. Court Reporter: *ECRO*. *Fee Status: Paid on 4/28/2009 in the amount of \$455.00* ** (Attachments: # <u>1</u> Appeal Notice) (Flores, E) (Entered: 05/13/2009)
05/15/2009	<u>99</u>	OPPOSITION by Marsial Lopez, Sandra Chavez, Theodore Medina to <u>94</u> MOTION for JUDGMENT <i>ON SPECIFIED CLAIMS AND CERTIFICATION OF CLAIMS FOR APPEAL AND</i> MOTION to STAY. (Attachments: # <u>1</u> Declaration In Support of Opposition)(Estuar, Paul) (Entered: 05/15/2009)
05/22/2009	<u>100</u>	MOTION to STAY by County of Kern. Motion Hearing set for 6/26/2009 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Cassidy, Terence) (Entered: 05/22/2009)
05/22/2009	<u>101</u>	MOTION to STAY by County of Kern. Motion Hearing set for 6/26/2009 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Cassidy, Terence) (Entered: 05/22/2009)
05/22/2009	<u>102</u>	DECLARATION of Terence J. Cassidy in Support of <u>101</u> MOTION to STAY. (Cassidy, Terence) (Entered: 05/22/2009)
05/22/2009	<u>103</u>	PROPOSED ORDER Proposed Order. (Cassidy, Terence) (Entered: 05/22/2009)
05/22/2009	<u>104</u>	DECLARATION of Terence J. Cassidy in Support of <u>101</u> MOTION to STAY. (Cassidy, Terence) (Entered: 05/22/2009)
05/22/2009	<u>105</u>	MOTION to STAY by County of Kern. Motion Hearing set for 6/26/2009 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Cassidy, Terence) (Entered: 05/22/2009)
05/22/2009	<u>106</u>	REPLY by Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish to RESPONSE to <u>94</u> MOTION for JUDGMENT <i>ON SPECIFIED CLAIMS AND CERTIFICATION OF CLAIMS FOR APPEAL AND</i> MOTION to STAY. (Thurston, Jennifer) (Entered: 05/22/2009)
05/26/2009	<u>107</u>	MINUTES (Text Only) for proceedings held before Magistrate Judge Dennis L. Beck: TELEPHONIC STATUS CONFERENCE held on 5/26/2009. The Court RESETS THE MOTION HEARING as to <u>94</u> MOTION for JUDGMENT <i>ON SPECIFIED CLAIMS AND CERTIFICATION OF CLAIMS FOR APPEAL AND</i> MOTION to STAY: Motion Hearing RESET from 5/29/2009 to 6/26/2009 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. The Court will set a Further Status Conference, if needed. Plaintiffs Counsel Barrett Litt by telephone. Defendants Counsel Jennifer Thurston, Terence Cassidy by telephone. Court Reporter/CD Number: In Chambers. (Hernandez, M) (Entered: 05/26/2009)
05/26/2009	<u>108</u>	TRANSCRIPT REQUEST by Donny Youngblood, Mack Wimbish re <u>93</u> Notice of Appeal (Thurston, Jennifer) (Entered: 05/26/2009)
05/26/2009	<u>109</u>	USCA CASE NUMBER 09–16006 assigned to <u>93</u> Notice of Appeal filed by Mack Wimbish, Donny Youngblood. (TEXT ENTRY ONLY) (Arellano, S.) (Entered: 05/26/2009)

		05/27/2009)
05/26/2009	<u>110</u>	USCA CASE NUMBER 09-16006 for <u>93</u> Notice of Appeal filed by Mack Wimbish, Donny Youngblood. (Sant Agata, S) (Entered: 05/29/2009)
05/27/2009		SERVICE BY MAIL: 109 USCA Case Number served on Donald W. Cook – OPT OUT ATTORNEY. (Arellano, S.) (Entered: 05/27/2009)
06/12/2009	<u>111</u>	OPPOSITION by Marsial Lopez, Sandra Chavez, Theodore Medina to <u>105</u> MOTION to STAY, <u>100</u> MOTION to STAY, <u>94</u> MOTION for JUDGMENT ON SPECIFIED CLAIMS AND CERTIFICATION OF CLAIMS FOR APPEAL AND MOTION to STAY, <u>101</u> MOTION to STAY. (Attachments: # <u>1</u> Exhibit 1 to Opposition)(Estuar, Paul) (Entered: 06/12/2009)
06/19/2009	<u>112</u>	REPLY/RESPONSE to Opposition to Joint Motion to Amend Order, for Certification of Issues and for Stay Pending Appeal under 28 U.S.C. § 1292 (b) by Donny Youngblood, Kern County Sheriff's Department, County of Kern, Mack Wimbish re <u>111</u> Opposition to Motion,. (Cassidy, Terence) (Entered: 06/19/2009)
06/26/2009	113	MINUTES (Text Only) for proceedings held before Magistrate Judge Dennis L. Beck: MOTION HEARING RE MOTION FOR JUDGMENT ON SPECIFIED CLAIMS AND CERTIFICATION OF CLAIMS FOR APPEAL AND MOTION TO STAY held on 6/26/2009, MOTIONS SUBMITTED: The Court to Issue Order. Plaintiffs Counsel Barrett Litt, Paul Estuar by telephone. Defendants Counsel Jennifer Thurston, T Cassidy present. Court Reporter/CD Number: ECRO. (Hernandez, M) (Entered: 06/29/2009)
07/01/2009	<u>114</u>	ORDER Regarding Motion For Entry Of Judgment On Specified Claims And Certification Of Claims For Appeal (Document <u>94</u>), signed by Magistrate Judge Dennis L. Beck on 6/30/2009. Defendants' motion for entry of judgment on specified claims and certification of claims for appeal pursuant to <u>Fed.R.Civ.P.54(b)</u> is DENIED . As the Court has declined to enter judgment pursuant to <u>Fed.R.Civ.P.54(b)</u> , the corresponding application for stay also is DENIED . (Scrivner, E) (Entered: 07/01/2009)
07/01/2009		SERVICE BY MAIL: <u>114</u> Order on Motion, served on Donald W. Cook – OPT OUT ATTORNEY. (Scrivner, E) (Entered: 07/01/2009)
07/02/2009	<u>115</u>	ORDER of USCA as to <u>93</u> Notice of Appeal filed by Mack Wimbish, Donny Youngblood; Court Recorder Operator Maribel Verduzco's motion for an extension of time to file the transcripts is granted. The transcripts are due July 6, 2009. (Scrivner, E) (Entered: 07/02/2009)
07/06/2009	<u>116</u>	TRANSCRIPT of Proceedings held on 12/19/2008– MOTION HEARING before Magistrate Judge Dennis L. Beck, filed by ECRO Maribel Verduzco, Phone number: 559-499-5928, E-mail: mverduzco@caed.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction must be filed within 5 court days. Redaction Request due 7/27/2009. Redacted Transcript Deadline set for 8/6/2009. Release of Transcript Restriction set for 10/5/2009. (Verduzco, M) (Entered: 07/06/2009)
07/06/2009	<u>117</u>	CERTIFICATE of RECORD transmitted to Ninth Circuit re <u>93</u> Notice of Appeal filed by Mack Wimbish, Donny Youngblood. (Lundstrom, T) (Entered: 07/07/2009)
07/07/2009		SERVICE BY MAIL: <u>117</u> Certificate of Record served on Donald W. Cook – OPT OUT ATTORNEY. (Lundstrom, T) (Entered: 07/07/2009)
07/07/2009		SERVICE BY MAIL: <u>117</u> Certificate of Record served on Donald W. Cook – OPT OUT ATTORNEY. (Martin, S) (Entered: 07/07/2009)
07/15/2009	<u>118</u>	ORDER Regarding Defendants' Joint Motion to Amend Order, for Certification of Issues and for Stay Pending Appeal <u>100</u> signed by Magistrate Judge Dennis L. Beck on 7/14/2009. (Sant Agata, S) (Entered: 07/15/2009)

07/15/2009		SERVICE BY MAIL: <u>118</u> Order served on Donald W. Cook – OPT OUT ATTORNEY. (Sant Agata, S) (Entered: 07/15/2009)
10/21/2009	<u>119</u>	ORDER of USCA as to <u>93</u> Notice of Appeal filed by Mack Wimbish, Donny Youngblood. <i>The Petition for Permission to Appeal is GRANTED. Within 10 Days of this Order, Petitioners shall Perfect the Appeal Pursuant to Federal Rule of Appellate Procedure 5(d) and shall also move for Consolidation of this Appeal with Appeal No. 09–16006.</i> (Sant Agata, S) (Entered: 10/21/2009)
10/30/2009	<u>120</u>	NOTICE of INTERLOCUTORY APPEAL by County of Kern as to <u>118</u> Order, <u>91</u> Order on Motion for Summary Judgment,,,,, (Attachments: # <u>1</u> Attachment to USDA Docketing Statement, # <u>2</u> Representation Statement, # <u>3</u> Certificate of Service)(Cassidy, Terence) (Entered: 10/30/2009)
11/02/2009		RECEIPT number CAE200021159 for \$455.00 for County of Kern et al from Porter Scott on 11/02/2009. (Gaydosh, J) (Entered: 11/03/2009)
11/03/2009		**PLEASE DISREGARD**RECEIPT number CAE200021159 for \$455.00 for Appeal Fee from Porter Scott. (Matson, R) Modified on 11/3/2009 (Matson, R). (Entered: 11/03/2009)
11/06/2009	<u>121</u>	APPEAL PROCESSED to Ninth Circuit re <u>120</u> Notice of Interlocutory Appeal, filed by County of Kern. Filed dates for Notice of Appeal *10/30/2009*, Complaint *3/27/2007* and Appealed Order / Judgment *3/31/2009*. Court Reporter: *ECRO*. *Fee Status: Paid on 11/2/2009 in the amount of \$455.00* ** (Attachments: # <u>1</u> Appeal Notice) (Hellings, J) (Entered: 11/06/2009)
11/06/2009		SERVICE BY MAIL: <u>121</u> Appeal Processed to USCA, served on Donald W. Cook – OPT OUT ATTORNEY. (Hellings, J) (Entered: 11/06/2009)
11/09/2009		RECEIPT number #CAE200021328 \$455.00 by Porter Scott on 11/9/2009 for appeal fee. (Carlos, K) (Entered: 11/09/2009)
12/08/2009	<u>122</u>	DESIGNATION of COUNSEL FOR SERVICE. Added attorney Mark Lloyd Nations and Mark Lloyd Nations for Donny Youngblood, Kern County Sheriff's Department, County of Kern and Mack Wimbish, attorney Jennifer Leigh Thurston terminated (Nations, Mark) (Entered: 12/08/2009)
08/27/2010	<u>123</u>	NOTICE of CHANGE IN FIRM NAME by Sandra Chavez, Marsial Lopez, Theodore Medina. (Estuar, Paul) (Entered: 08/27/2010)
01/21/2011	<u>127</u>	ORDER of USCA as to <u>120</u> Notice of Interlocutory Appeal, filed by County of Kern, <u>93</u> Notice of Appeal filed by Mack Wimbish, Donny Youngblood; ORDER & MANDATE. (Fahrney, E) (Entered: 01/25/2011)
01/22/2011	<u>124</u>	MOTION Preliminary Approval of Class Settlement by Sandra Chavez, Marsial Lopez, Theodore Medina. Motion Hearing set for 2/25/2011 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Litt, Barrett) (Entered: 01/22/2011)
01/22/2011	<u>125</u>	NOTICE of Lodging of Preliminary Approval Order by Sandra Chavez, Marsial Lopez, Theodore Medina re <u>124</u> MOTION Preliminary Approval of Class Settlement. (Attachments: # <u>1</u> Proposed Order Preliminary Approval Order, # <u>2</u> Exhibit A to Preliminary Approval Order, # <u>3</u> Exhibit B to Preliminary Approval Order, # <u>4</u> Exhibit C to Preliminary Approval Order, # <u>5</u> Exhibit D to Preliminary Approval Order)(Litt, Barrett) (Entered: 01/22/2011)
01/24/2011	126	MINUTE ORDER: (TEXT ENTRY ONLY) THE COURT RESETS THE MOTION HEARING as to <u>124</u> Plaintiff's MOTION for Preliminary Approval of Class Settlement : Motion Hearing is advanced from 2/25/2011 to 2/23/2011 at 09:30 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Hernandez, M) (Entered: 01/24/2011)
01/25/2011	<u>128</u>	EXHIBIT Supplements re <u>124</u> MOTION Preliminary Approval of Class Settlement filed by Marsial Lopez, Sandra Chavez, Theodore Medina. (Attachments: # <u>1</u> Exhibit A–Signature Page, # <u>2</u> Exhibit D–Signature Page, # <u>3</u> Exhibit E–Dismissal Order)(Litt, Barrett) (Entered: 01/25/2011)

02/22/2011	<u>129</u>	PROPOSED ORDER Amend. Preliminary Approval Order re <u>125</u> Notice – Other, <u>124</u> MOTION Preliminary Approval of Class Settlement. Attorney Cassidy, Terence John added. (Attachments: # <u>1</u> Exhibit Exhibit A to Order, # <u>2</u> Exhibit Exhibit B to Order, # <u>3</u> Exhibit Exhibit C to Order, # <u>4</u> Exhibit Exhibit D to Order, # <u>5</u> Exhibit Exhibit E to Order)(Cassidy, Terence) (Entered: 02/22/2011)
02/23/2011	<u>130</u>	PRELIMINARY APPROVAL ORDER RE <u>124</u> Motion signed by Magistrate Judge Dennis L. Beck on 2/23/2011. (Attachments: # <u>1</u> Exhibit)(Lundstrom, T) (Entered: 02/23/2011)
02/23/2011		SERVICE BY MAIL: <u>130</u> Order served on Donald W. Cook – OPT OUT ATTORNEY. (Lundstrom, T) (Entered: 02/23/2011)
02/23/2011	131	MINUTES (Text Only) for proceedings held before Magistrate Judge Dennis L. Beck: MOTION HEARING RE PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT held on 2/23/2011, MOTIONS SUBMITTED: The Court to Issue Order. Plaintiffs Counsel Barrett Litt by telephone. Defendants Counsel Terence Cassidy by telephone. Court Reporter/CD Number: ECRO. (Hernandez, M) (Entered: 02/24/2011)
05/09/2011	<u>132</u>	MOTION for ATTORNEY FEES by Sandra Chavez, Marsial Lopez, Theodore Medina. Motion Hearing set for 8/26/2011 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Litt, Barrett) (Entered: 05/09/2011)
05/09/2011	<u>133</u>	DECLARATION of Barrett S. Litt in SUPPORT OF <u>132</u> MOTION for ATTORNEY FEES. (Attachments: # <u>1</u> Exhibit 1)(Litt, Barrett) (Entered: 05/09/2011)
05/09/2011	<u>134</u>	DECLARATION of Julia C. White in SUPPORT OF <u>132</u> MOTION for ATTORNEY FEES. (Litt, Barrett) (Entered: 05/09/2011)
05/09/2011	<u>135</u>	DECLARATION of Robert Mann in SUPPORT OF <u>132</u> MOTION for ATTORNEY FEES. (Litt, Barrett) (Entered: 05/09/2011)
05/09/2011	<u>136</u>	DECLARATION of Donald Cook in SUPPORT OF <u>132</u> MOTION for ATTORNEY FEES. (Litt, Barrett) (Entered: 05/09/2011)
05/09/2011	<u>137</u>	NOTICE of Lodging Proposed Order by Sandra Chavez, Marsial Lopez, Theodore Medina re <u>132</u> MOTION for ATTORNEY FEES. (Attachments: # <u>1</u> Proposed Order)(Litt, Barrett) (Entered: 05/09/2011)
06/13/2011	<u>138</u>	OBJECTIONS by Sean Robbins. (Sant Agata, S) (Entered: 06/15/2011)
07/13/2011	<u>139</u>	OPPOSITION by Plaintiffs Sandra Chavez, Marsial Lopez, Theodore Medina. (Attachments: # <u>1</u> Exhibit Gregory McClellan Objection, # <u>2</u> Exhibit Sean Robbins Objection)(Litt, Barrett) (Entered: 07/13/2011)
08/08/2011	<u>146</u>	NOTICE of Settlement Class Member by Henry Cartwright. (Marrujo, C) (Entered: 08/16/2011)
08/11/2011	<u>140</u>	Emergency MOTION/Request For Exception to File a Late Claim Due to Lack of Notice file by Charles Fordjour. (Marrujo, C) (Entered: 08/12/2011)
08/16/2011	141	MINUTE ORDER (Text Only): The <u>140</u> Emergency MOTION/Request For Exception to File a Late Claim Due to Lack of Notice will be heard on 8/26/2011 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Figueroa, O) (Entered: 08/16/2011)
08/16/2011		SERVICE BY MAIL: 141 Minute Order, served on Donald W. Cook – OPT OUT ATTORNEY and Charles Fordjour. (Figueroa, O) (Entered: 08/16/2011)
08/16/2011	<u>142</u>	MOTION Final Approval by Sandra Chavez, Marsial Lopez, Theodore Medina. Motion Hearing set for 8/26/2011 at 09:00 AM in Courtroom 9 (DLB) before Magistrate Judge Dennis L. Beck. (Attachments: # <u>1</u> Proposed Order of Final Approval)(Litt, Barrett) (Entered: 08/16/2011)
08/16/2011	<u>143</u>	DECLARATION of Barrett S. Litt in SUPPORT OF <u>142</u> MOTION Final Approval. (Litt, Barrett) (Entered: 08/16/2011)

08/16/2011	<u>144</u>	DECLARATION of Julia C. White in SUPPORT OF <u>142</u> MOTION Final Approval. (Litt, Barrett) (Entered: 08/16/2011)
08/16/2011	<u>145</u>	DECLARATION of Tricia M. Solorzano in SUPPORT OF <u>142</u> MOTION Final Approval. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Litt, Barrett) (Entered: 08/16/2011)
08/24/2011	<u>147</u>	JOINT STATUS REPORT by Sandra Chavez, Marsial Lopez, Theodore Medina. (Litt, Barrett) (Entered: 08/24/2011)
08/26/2011	148	MINUTES (Text Only) for proceedings held before Magistrate Judge Dennis L. Beck: MOTION HEARING held on 8/26/2011. Motions were heard, the Court to issue a written order. (Revised Proposed Order Deadline: 8/29/2011). Plaintiffs Counsel Barrett Litt and Paul Estuar telephonically present. Defendants Counsel Terence Cassidy telephonically present. Court Reporter/CD Number: ECRO. (Figueroa, O) (Entered: 08/26/2011)
08/26/2011	<u>149</u>	PROPOSED ORDER re Final Approval. (Litt, Barrett) (Entered: 08/26/2011)
08/26/2011	<u>150</u>	PROPOSED ORDER re Attorneys' Fees and Costs. (Litt, Barrett) (Entered: 08/26/2011)
08/31/2011	<u>151</u>	FINAL ORDER OF APPROVAL AND SETTLEMENT signed by Magistrate Judge Dennis L. Beck on 8/30/2011. CASE CLOSED. (Jessen, A) (Entered: 08/31/2011)
08/31/2011		SERVICE BY MAIL: <u>151</u> Order served on Donald W. Cook – OPT OUT ATTORNEY. (Jessen, A) (Entered: 08/31/2011)
09/02/2011	<u>152</u>	ORDER awarding class counsel attorneys' fees in the amount of \$2,000,000.00 and costs in the amount of \$44,393.60; order signed by Magistrate Judge Dennis L. Beck on 9/1/2011. (Rooney, M) (Entered: 09/02/2011)
09/02/2011		SERVICE BY MAIL: <u>152</u> Order served on Donald W. Cook – OPT OUT ATTORNEY. (Rooney, M) (Entered: 09/02/2011)