

**U.S. District Court
Eastern District of California – Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:11-cv-00907-JAM-DAD**

Prison Legal News v. Jones et al
Assigned to: Judge John A. Mendez
Referred to: Magistrate Judge Dale A. Drozd
Cause: 42:1983 Civil Rights Act

Date Filed: 04/05/2011
Date Terminated: 08/08/2012
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Prison Legal News

represented by **Ernest Galvan**
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V.

Defendant**Scott R. Jones**

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TERMINATED: 04/18/2012

Defendant**County of Sacramento**

represented by **John A. Lavra**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amanda Lynn Butts
 (See above for address)
TERMINATED: 04/18/2012

Date Filed	#	Docket Text
04/05/2011	<u>1</u>	COMPLAINT against County of Sacramento, Scott R. Jones by Prison Legal News. Attorney Galvan, Ernest added. (Attachments: # <u>1</u> Civil Cover Sheet)(Galvan, Ernest) (Entered: 04/05/2011)
04/05/2011		RECEIPT number #CAE200034582 \$350.00 by Robert B Thompson on 4/5/2011. (Becknal, R) (Entered: 04/05/2011)
04/05/2011	<u>3</u>	SUMMONS ISSUED as to *County of Sacramento, Scott R. Jones* with answer to complaint due within *21* days. Attorney *Ernest Galvan* *Rosen Bien & Galvan, LLP* *315 Montgomery Street, 10th Floor* *San Francisco, CA 94104*. (Becknal, R) (Entered: 04/05/2011)
04/05/2011	<u>4</u>	CIVIL NEW CASE DOCUMENTS ISSUED; (Attachments: # <u>1</u> Consent Form, # <u>2</u> Order re Page Limits, # <u>3</u> VDRP Form) (Becknal, R) (Entered: 04/05/2011)
04/11/2011	<u>5</u>	SUMMONS RETURNED EXECUTED: County of Sacramento served on 4/6/2011. (Thompson, Blake) Modified on 4/12/2011 (Marciel, M). (Entered: 04/11/2011)
04/11/2011	<u>6</u>	SUMMONS RETURNED EXECUTED: Scott R. Jones served on 4/6/2011. (Thompson, Blake) Modified on 4/12/2011 (Marciel, M). (Entered: 04/11/2011)
04/22/2011	<u>7</u>	DECLINE to PROCEED BEFORE US MAGISTRATE JUDGE by Prison Legal News. Attorney Thompson, Blake added. (Thompson, Blake) (Entered: 04/22/2011)
04/25/2011	<u>8</u>	STATEMENT of Corporate Disclosure under FRCP 7.1 by Plaintiff Prison Legal News. (Thompson, Blake) (Entered: 04/25/2011)

04/25/2011	<u>9</u>	CERTIFICATE of SERVICE by Prison Legal News re <u>7</u> Decline of Jurisdiction of US Magistrate Judge, <u>8</u> Statement. (Thompson, Blake) (Entered: 04/25/2011)
05/05/2011	<u>10</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Prison Legal News for attorney Lance T. Weber to appear Pro Hac Vice. (Thompson, Blake) (Entered: 05/05/2011)
05/05/2011		RECEIPT number #CAE200035366 \$180.00 fbo Lance T Weber by Robert B Thompson on 5/5/2011. (Becknal, R) (Entered: 05/05/2011)
05/06/2011	<u>12</u>	PRO HAC VICE ORDER signed by Judge John A. Mendez on 5/5/11. Added attorney Lance T Weber, PHV for Prison Legal News. (Duong, D) (Entered: 05/06/2011)
05/20/2011	<u>13</u>	STIPULATION and PROPOSED ORDER for TO EXTEND TIME by County of Sacramento, Scott R. Jones. Attorney Butts, Amanda Lynn added. (Butts, Amanda) (Entered: 05/20/2011)
05/23/2011	<u>14</u>	STIPULATION and ORDER <u>13</u> signed by Judge John A. Mendez on 5/23/11, ORDERING that defendants County of Sacramento and Scott R. Jones shall file an answer to plaintiff's complaint on or before 6/2/11. The parties shall submit a joint status report on or before 7/5/11. (Kastilahn, A) (Entered: 05/23/2011)
06/02/2011	<u>15</u>	ANSWER to <u>1</u> Complaint with Jury Demand by Scott R. Jones.(Butts, Amanda) (Entered: 06/02/2011)
06/02/2011	<u>16</u>	ANSWER to <u>1</u> Complaint with Jury Demand by County of Sacramento.(Butts, Amanda) (Entered: 06/02/2011)
07/05/2011	<u>17</u>	JOINT STATUS REPORT by Prison Legal News. (Thompson, Blake) (Entered: 07/05/2011)
07/06/2011	<u>18</u>	STATUS (Pre-Trial) SCHEDULING ORDER signed by Judge John A. Mendez on 7/5/11; Discovery due by 4/20/2012; Designation of Expert Witnesses due by 3/23/2012; Dispositive Motions filed by 6/13/2012; Final Pretrial Conference set for 8/22/2012 at 04:00 PM and Jury Trial set for 10/1/2012 at 09:00 AM in Courtroom 6 (JAM) before Judge John A. Mendez. (Matson, R) (Entered: 07/06/2011)
07/27/2011	<u>19</u>	[DISREGARD – FILED IN ERROR] DESIGNATION/DISCLOSURE of EXPERT WITNESS by County of Sacramento, Scott R. Jones. (Butts, Amanda) Modified on 7/27/2011 (Benson, A.). (Entered: 07/27/2011)
07/27/2011		CLERK'S NOTICE of DOCKET CORRECTION re <u>19</u> Designation/Disclosure of Expert Witness was filed in error; DISREGARD. (Benson, A.) (Entered: 07/27/2011)
08/22/2011	<u>20</u>	STIPULATION and PROPOSED ORDER for Protective Order by County of Sacramento, Scott R. Jones. (Butts, Amanda) (Entered: 08/22/2011)
08/24/2011	<u>21</u>	STIPULATED PROTECTIVE ORDER signed by Magistrate Judge Dale A. Drozd on 8/23/2011. (Duong, D) (Entered: 08/24/2011)
01/25/2012	<u>22</u>	MOTION for PRELIMINARY INJUNCTION by Prison Legal News. Attorney Walczak, Kenneth M. added. Motion Hearing set for 2/22/2012 at 09:30 AM in Courtroom 6 (JAM) before Judge John A. Mendez. (Walczak, Kenneth) (Entered: 01/25/2012)
01/25/2012	<u>23</u>	MEMORANDUM by Prison Legal News in SUPPORT of <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Walczak, Kenneth) (Entered: 01/25/2012)
01/25/2012	<u>24</u>	PROPOSED ORDER re <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Walczak, Kenneth) Modified on 1/26/2012 (Kaminski, H). (Entered: 01/25/2012)
01/25/2012	<u>25</u>	REQUEST for JUDICIAL NOTICE by Prison Legal News in re <u>22</u> Motion for Preliminary Injunction. (Walczak, Kenneth) (Entered: 01/25/2012)
01/25/2012	<u>26</u>	DECLARATION of John L. Clark in SUPPORT OF <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Walczak, Kenneth) (Entered: 01/25/2012)

01/25/2012	<u>27</u>	DECLARATION of Mark Mitchell in SUPPORT OF <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Walczak, Kenneth) (Entered: 01/25/2012)
01/25/2012	<u>28</u>	DECLARATION of Christopher W. Koppe in SUPPORT OF <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Walczak, Kenneth) (Entered: 01/25/2012)
01/25/2012	<u>29</u>	DECLARATION of Gary Vue in SUPPORT OF <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Walczak, Kenneth) (Entered: 01/25/2012)
01/25/2012	<u>30</u>	DECLARATION of Kenneth M. Walczak in SUPPORT OF <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B part 1, # <u>3</u> Exhibit B part 2, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F part 1, # <u>8</u> Exhibit F part 2, # <u>9</u> Exhibit F part 3, # <u>10</u> Exhibit F part 4, # <u>11</u> Exhibit F part 5, # <u>12</u> Exhibit F part 6, # <u>13</u> Exhibit F part 7, # <u>14</u> Exhibit G, # <u>15</u> Exhibit H, # <u>16</u> Exhibit I, # <u>17</u> Exhibit J, # <u>18</u> Exhibit K, # <u>19</u> Exhibit L, # <u>20</u> Exhibit M, # <u>21</u> Exhibit N)(Walczak, Kenneth) (Entered: 01/25/2012)
01/25/2012	<u>31</u>	DECLARATION of Paul Wright in SUPPORT OF <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Attachments: # <u>1</u> Exhibit A part 1, # <u>2</u> Exhibit A part 2, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I)(Walczak, Kenneth) (Entered: 01/25/2012)
01/26/2012	<u>32</u>	REQUEST for <i>Withdrawal of Exhibit Inadvertently Filed on the Public Docket and Substitution of Amended Declaration; Notice of Request and Request to Seal Document</i> by Prison Legal News re <u>30</u> Declaration. (Attachments: # <u>1</u> Proposed Order)(Walczak, Kenneth) Modified on 1/27/2012 (Kaminski, H). (Entered: 01/26/2012)
01/26/2012	<u>33</u>	ORDER signed by Judge John A. Mendez on 1/26/12 GRANTING <u>32</u> Request STRIKING <u>30</u> Declaration of Kenneth M. Walczak and ACCEPTS for filing the Amended Declaration of Kenneth M. Walczak. Exhibit H to the Amended Declaration of Kenneth M. Walczak is ACCEPTED for filing UNDER SEAL, subject to the provisions of the Stipulated Protected Order entered on 8/24/11. (Meuleman, A) Modified on 1/26/2012 (Meuleman, A). (Entered: 01/26/2012)
02/01/2012	<u>34</u>	STIPULATION and PROPOSED ORDER for Modification of Hearing on Plaintiff's <u>22</u> Motion for Preliminary Injunction. Attorney Lavra, John A. added. (Lavra, John) Modified on 2/3/2012 (Kastilahn, A). (Entered: 02/01/2012)
02/01/2012	<u>35</u>	STIPULATION and ORDER signed by Judge John A. Mendez on 2/1/2012 ORDERING <u>22</u> Motion Hearing on Preliminary Injunction Reset for 3/7/2012 at 09:30 AM in Courtroom 6 (JAM) before Judge John A. Mendez. Defendants Responses due by 2/15/2012. Plaintiff's will file and serve any reply by 2/29/2012. (Reader, L) (Entered: 02/01/2012)
02/15/2012	<u>36</u>	NOTICE of Request to Seal Document(s) pursuant to L.R. 141 by County of Sacramento, Scott R. Jones. (Lavra, John) (Entered: 02/15/2012)
02/15/2012	<u>37</u>	PROPOSED ORDER re Request to Seal Documents by Defendants' County of Sacramento and Scott R. Jones re <u>36</u> Notice of Request to Seal Document(s) by County of Sacramento, Scott R. Jones. (Lavra, John) (Entered: 02/15/2012)
02/15/2012	<u>38</u>	OPPOSITION to <u>22</u> Motion for Preliminary Judgment by County of Sacramento, Scott R. Jones. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Declaration Amanda L. Butts, # <u>16</u> Declaration John A. Lavra, # <u>17</u> Declaration Dan Morrissey, # <u>18</u> Declaration Jesse Brucker, # <u>19</u> Declaration Darin Griem, # <u>20</u> Declaration James Lewis) (Butts, Amanda) Modified on 2/16/2012 (Michel, G). (Entered: 02/15/2012)
02/15/2012	<u>39</u>	REQUEST for JUDICIAL NOTICE in re <u>38</u> Opposition to <u>22</u> Motion for Preliminary Injunction by County of Sacramento, Scott R. Jones. (Butts, Amanda) Modified on 2/16/2012 (Michel, G). (Entered: 02/15/2012)
02/16/2012	<u>40</u>	ORDER signed by Judge John A. Mendez on 2/16/2012 ORDERING that Exhibit 4 to the Defendants' Opposition to the Preliminary Injunction is accepted for filing under seal, subject to provisions of the <u>21</u> stipulated protective order of 8/24/2011.

		(Zignago, K.) (Entered: 02/16/2012)
02/16/2012	<u>41</u>	SEALED EVENT. (Zignago, K.) (Entered: 02/16/2012)
02/29/2012	<u>42</u>	OBJECTIONS by Plaintiff Prison Legal News to <u>38</u> Opposition to Motion,, (Walczak, Kenneth) (Entered: 02/29/2012)
02/29/2012	<u>43</u>	REPLY by Prison Legal News re <u>38</u> Opposition to Motion,, (Walczak, Kenneth) (Entered: 02/29/2012)
02/29/2012	<u>44</u>	DECLARATION of Kenneth M. Walczak in re <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Walczak, Kenneth) (Entered: 02/29/2012)
02/29/2012	<u>45</u>	DECLARATION of Paul Wright in re <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Walczak, Kenneth) (Entered: 02/29/2012)
02/29/2012	<u>46</u>	DECLARATION of John L. Clark in re <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Walczak, Kenneth) (Entered: 02/29/2012)
03/06/2012	<u>47</u>	DECLARATION of Lance Weber in SUPPORT OF <u>22</u> MOTION for PRELIMINARY INJUNCTION. (Galvan, Ernest) (Entered: 03/06/2012)
03/07/2012	<u>48</u>	MINUTES (Text Only) for proceedings held before Judge John A. Mendez: MOTION HEARING held on 3/7/2012 ; Terminate Deadlines and Hearings ; Motions terminated: <u>22</u> MOTION for PRELIMINARY INJUNCTION filed by Prison Legal News ; granting in part and denying in part <u>22</u> Motion for Preliminary Injunction. Court to prepare order. Plaintiffs Counsel E. Galvan present. Defendants Counsel A. Butts present. Court Reporter: K. O'Halloran. (Vine, H) (Entered: 03/07/2012)
03/08/2012	<u>49</u>	ORDER signed by Judge John A. Mendez on 3/8/12 GRANTING <u>22</u> Motion for Preliminary Injunction. (Manzer, C) (Entered: 03/08/2012)
03/13/2012	<u>50</u>	STIPULATION and PROPOSED ORDER for Modify Pretrial Scheduling Order by County of Sacramento, Scott R. Jones. (Lavra, John) (Entered: 03/13/2012)
03/14/2012	<u>51</u>	STIPULATION and ORDER signed by Judge John A. Mendez on 3/13/12: Designation of Expert Witnesses due by 4/16/2012. Discovery due by 5/30/2012. (Kaminski, H) (Entered: 03/14/2012)
03/22/2012	<u>52</u>	TRANSCRIPT of Court's Ruling held on 3/7/12, before Judge John A. Mendez, filed by Court Reporter Kelly OHalloran, Phone number 916-448-2712 E-mail kohalloran@comcast.net. 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 also be obtained through PACER. Any Notice of Intent to Request Redaction must be filed within 5 court days. Redaction Request due 4/12/2012. Redacted Transcript Deadline set for 4/23/2012. Release of Transcript Restriction set for 6/21/2012. (O'Halloran, K) (Entered: 03/22/2012)
03/28/2012	<u>53</u>	TRANSCRIPT of Motion for Preliminary Injunction held on 3/7/12, before Judge John A. Mendez, filed by Court Reporter Kelly OHalloran, Phone number 916-448-2712 E-mail kohalloran@comcast.net. 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 also be obtained through PACER. Any Notice of Intent to Request Redaction must be filed within 5 court days. Redaction Request due 4/19/2012. Redacted Transcript Deadline set for 4/30/2012. Release of Transcript Restriction set for 6/28/2012. (O'Halloran, K) (Entered: 03/28/2012)
04/11/2012	<u>54</u>	STIPULATION and PROPOSED ORDER to modify Scheduling Order by defendants. (Lavra, John) Modified on 4/12/2012 (Marciel, M). (Entered: 04/11/2012)
04/12/2012	<u>55</u>	STIPULATION and ORDER <u>54</u> for modification signed by Judge John A. Mendez on 4/12/2012. Expert Disclosure is now due 5/30/2012; Supplemental Expert Disclosure to be submitted by 6/8/2012. Discovery cut-off changed to 8/10/2012. Dispositive Motions shall be filed by 9/19/2012 and Hearing on those Motions to be set for 10/17/2012 at 9:30 AM. The Joint Pretrial Statement is due 11/23/2012.

		Final Pretrial Conference is CONTINUED to 11/30/2012 at 10:00 AM and Jury Trial is RE-SET for 1/14/2013 at 10:00 AM in Courtroom 6 (JAM). (Marciel, M) (Entered: 04/12/2012)
05/22/2012	<u>56</u>	STIPULATION and [PROPOSED] ORDER to Modify the Pre Trial Scheduling Order by County of Sacramento, Scott R. Jones. (Lavra, John) Modified on 5/23/2012 (Mena-Sanchez, L). (Entered: 05/22/2012)
05/23/2012	<u>57</u>	STIPULATION and ORDER signed by Judge John A. Mendez on 5/22/2012 EXTENDING the deadline for Expert Disclosure to 6/30/2012; EXTENDING the deadline for Supplemental Expert Disclosure to 7/9/2012. (Michel, G) (Entered: 05/23/2012)
07/13/2012	<u>58</u>	NOTICE of SETTLEMENT by Prison Legal News. (Walczak, Kenneth) (Entered: 07/13/2012)
07/13/2012	<u>59</u>	STIPULATION and [Proposed] Consent Decree by Prison Legal News. (Walczak, Kenneth) (Entered: 07/13/2012)
07/16/2012	<u>60</u>	CONSENT DECREE signed by Judge John A. Mendez on 7/16/12. (Meuleman, A) (Entered: 07/16/2012)
08/06/2012	<u>61</u>	STIPULATION and PROPOSED ORDER for Dismissal of Case and Retention of Jurisdiction Over Consent Decree by Prison Legal News. (Galvan, Ernest) (Entered: 08/06/2012)
08/08/2012	<u>62</u>	STIPULATION and ORDER signed by Judge John A. Mendez on 08/07/12 ORDERING that, the parties having reached a Consent Decree resolving the plaintiff's claims, the Court orders the claims DISMISSED with prejudice under Rule 41(a)(2) of the FRCP, subject to the condition that the Court retains jurisdiction to enforce compliance with the Consent Decree, until such jurisdiction is terminated by the Court upon motion made by either Party. Motions regarding the Consent Decree may be filed by the parties under this case number pursuant to the Courts ancillary jurisdiction to enforce the Consent Decree. CASE CLOSED (Benson, A.) (Entered: 08/08/2012)