

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:08-cv-07169-JFW-AGR**

Maurice P. Olivier v. Gloria Molina et al
Assigned to: Judge John F. Walter
Referred to: Magistrate Judge Alicia G. Rosenberg
Case in other court: 9th CCA, 13-56371
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 10/30/2008
Date Terminated: 07/18/2013
Jury Demand: Defendant
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Maurice Pierre Olivier

represented by **Maurice Pierre Olivier**
CDC F-83603
Pleasant Valley State Prison
D Yard Bldg. D-2 Cell 150
P O Box 2500
Coalinga, CA 93210
PRO SE

V.

Defendant

Gloria Molina
Board of Supervisor, First District
TERMINATED: 08/23/2010

represented by **Paul B Beach**
Lawrence Beach Allen and Choi PC
100 West Broadway Suite 1200
Glendale, CA 91210-1219
818-545-1925
Fax: 818-545-1937
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel Lee
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100 West Broadway Suite 1200
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818-545-1925
Fax: 818-545-1937
Email: dlee@lbaclaw.com
TERMINATED: 01/04/2017

Defendant

Yvonne B. Burke
Board of Supervisor, Second District
TERMINATED: 08/23/2010

Defendant

Zey Yaroslavsky
Board of Supervisor, Third District
TERMINATED: 08/23/2010

represented by **Paul B Beach**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel Lee
(See above for address)
TERMINATED: 01/04/2017

Defendant

Don Knabe
Board of Supervisor, Fourth District

represented by **Paul B Beach**
(See above for address)

TERMINATED: 08/23/2010

LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Daniel Lee**
(See above for address)
TERMINATED: 01/04/2017**Defendant****Michael D. Antonovich**
Board of Supervisor, Fifth District
TERMINATED: 08/23/2010represented by **Paul B Beach**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Daniel Lee**
(See above for address)
TERMINATED: 01/04/2017**Defendant****LeRoy Baca**
*Los Angeles County Sheriff of Custody
Operations*represented by **Paul B Beach**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Alexandra B Zuiderweg**
Office of the County Counsel
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Email: azuiderweg@counsel.lacounty.gov
ATTORNEY TO BE NOTICED**Daniel Lee**
(See above for address)
TERMINATED: 01/04/2017**Defendant****Policarpio F. Enriquez**
Medical Doctor L.A. City Central Jail
TERMINATED: 08/23/2010represented by **Paul B Beach**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Daniel Lee**
(See above for address)
TERMINATED: 01/04/2017

Date Filed	#	Docket Text
10/30/2008		LODGED COMPLAINT forwarded to Magistrate Judge Jeffrey W. Johnson. Complaint sought to be filed by Plaintiff Maurice P. Olivier. (ghap) (Entered: 11/04/2008)
10/30/2008	<u>1</u>	REQUEST to Proceed without Prepayment of Filing Fees with Declaration in Support filed by plaintiff Maurice P. Olivier. (Attachments: # <u>1</u> Lodged face page of Complaint)(ghap) (Entered: 11/04/2008)
11/07/2008	<u>2</u>	ORDER by Magistrate Judge Jeffrey W. Johnson: GRANTING re REQUEST to Proceed without Prepayment of Filing Fees, Declaration in Support <u>1</u> . IT IS FURTHER ORDERED that, accordance with 28 USC Section 1915, the prisoner-plaintiff owes the Court the total filing fee of \$350.00. An initial partial filing fee of \$2.40 must be paid within 30 days of the date of this is filed. Failure to remit the initial partial filing fee may be result in dismissal of your case. Thereafter, monthly

		payments shall be forwarded to the Court in accordance with 28 USC Section 1915. (et) (Entered: 11/10/2008)
11/07/2008	<u>3</u>	CIVIL RIGHTS COMPLAINT filed against Defendants Gloria Molina, Yvonne B. Burke, Zey Yaroslavsky, Don Knabe, Michael D. Antonovich, LeRoy Baca, Policarpio F. Enriquez pursuant to 42:1983. Case assigned to Judge John F. Walter and referred to Magistrate Judge Jeffrey W. Johnson. (Filing fee: IN FORMA PAUPERIS IS GRANTED.), filed by Plaintiff Maurice P. Olivier. (et) (Entered: 11/10/2008)
11/07/2008	<u>4</u>	NOTICE OF REFERENCE to United States Magistrate Judge Jeffrey W. Johnson. (et) (Entered: 11/10/2008)
11/17/2008	<u>5</u>	MOTION for Appointment of Counsel filed by plaintiff Maurice P. Olivier. (ca) (Entered: 11/21/2008)
11/20/2008	<u>6</u>	NOTICE OF DISCREPANCY AND ORDER: by Magistrate Judge Jeffrey W. Johnson, ORDERING Motion requesting court filed documents and summons submitted by Plaintiff Maurice P. Olivier received on 11/17/2008 is not to be filed but instead rejected. Denial based on: requesting documents not related to the above case number. (ca) (Entered: 11/21/2008)
12/03/2008	<u>7</u>	MINUTES (IN CHAMBERS) PLAINTIFFS MOTION FOR APPOINTMENT OF COUNSEL (filed November 17, 2008) by Magistrate Judge Jeffrey W. Johnson: The Court has received plaintiff's Motion for Appointment of Counsel <u>5</u> . The plaintiff's motion is DENIED. The Court has very little ability to appoint counsel in civil rights matters except in "exceptional circumstances. Moreover, the Court does not have the ability to provide for payment to any attorney who might be willing to represent plaintiff. Plaintiff should consider what other alternatives he has to assist him in prosecuting this case. (ca) (Entered: 12/08/2008)
12/30/2008	<u>8</u>	OBJECTION to Magistrate's Order Denying Appointment of Counsel <u>7</u> , filed by Plaintiff Maurice P. Olivier. (ag) (Entered: 12/30/2008)
01/30/2009	<u>9</u>	ORDER TO SHOW CAUSE RE DISMISSAL FOR FAILURE TO PAY INITIAL PARTIAL FILING FEE by Magistrate Judge Jeffrey W. Johnson. (ca) (Entered: 02/02/2009)
02/20/2009	<u>10</u>	MOTION SHOWING CAUSE filed by Plaintiff Maurice P. Olivierto Order to Show Cause, <u>9</u> . (ca) (Entered: 02/20/2009)
03/24/2009	<u>11</u>	MINUTES (IN CHAMBERS) PLAINTIFFS MOTION SHOWING CAUSE (filed February 20, 2009) by Magistrate Judge Jeffrey W. Johnson: The Court hereby vacates its Order to Show Cause re Dismissal For Failure to Pay Initial Partial Filing Fee. Plaintiff is GRANTED an additional forty-five (45) days from the date of this order to make an initial payment of \$2.40. Thereafter, plaintiff shall monthly pay 20 percent of the preceding monthly income credited to [plaintiffs] account. 28 U.S.C. 1915(b)(2). The Court hereby directs the California Department of Corrections to forward payments from [plaintiff Maurice P. Oliviers] account to the Clerk of this Court each time the account in plaintiff Oliviers [trust fund] account exceeds \$10.00 until the \$350.00 filing fee is paid, re: Motion <u>10</u> . (ca) (Entered: 03/24/2009)
04/13/2009	<u>12</u>	Motion Requesting Confirmation of Receiving Initial Filing Fee Pursuant to 28 U.S.C. 1915 (b)(1) filed by Plaintiff Maurice P. Olivier. (ag) (Entered: 04/13/2009)
04/30/2009	<u>13</u>	MINUTES (IN CHAMBERS) PLAINTIFFS MOTION REQUESTING CONFIRMATION OF RECEIVING INITIAL FILING FEE (filed April 13, 2009) by Magistrate Judge Jeffrey W. Johnson: Plaintiff is advised that his initial partial filing fee of \$2.40 was received on February 19, 2009, re: REQUEST <u>12</u> . (ca) (Entered: 05/01/2009)
07/14/2009	<u>14</u>	ORDER OF THE CHIEF MAGISTRATE JUDGE – OCMJ# 09–063 by Acting Magistrate Judge Suzanne H. Segal. Due to the Resignation of Magistrate Judge Jeffrey W. Johnson, this case is randomly reassigned to Magistrate Judge Alicia G. Rosenberg for all further proceedings. All documents subsequently filed shall bear this new case designation CV 08–07169 JFW(AGR). (sn) (Entered: 07/16/2009)
07/21/2009		Proposed MEMORANDUM AND ORDER DISMISSING CIVIL RIGHTS COMPLAINT WITH LEAVE TO AMEND by Magistrate Judge Jeffrey W. Johnson.

		Re Complaint (Prisoner Civil Rights) <u>3</u> . Approved by the District Judge.(ag) (Entered: 07/22/2009)
07/21/2009	<u>15</u>	MEMORANDUM AND ORDER DISMISSING CIVIL RIGHTS COMPLAINT WITH LEAVE TO AMEND <u>3</u> by District Judge John F. Walter. (ag). (Entered: 07/22/2009)
08/12/2009	<u>16</u>	FIRST AMENDED CIVIL RIGHTS COMPLAINT against defendants Gloria Molina, Yvonne B. Burke, Zey Yaroslavsky, Don Knabe, Michael D. Antonovich, LeRoy Baca, Policarpio F. Enriquez amending Complaint (Prisoner Civil Rights), <u>3</u> , filed by plaintiff Maurice P. Olivier. (ca) (Entered: 08/13/2009)
09/02/2009	<u>17</u>	ORDER DIRECTING SERVICE OF PROCESS BY THE UNITED STATES MARSHAL by Magistrate Judge Alicia G. Rosenberg, re First Amended Complaint, <u>16</u> . Pursuant to Rule 4(c)(3) of the Federal Rules of Civil Procedure, the United States Marshal is directed to proceed with service of process upon the defendant(s) named below only without prepayment of costs, until further order of the Court. A copy of this Order shall be served with the summons and complaint. Pursuant to 42 U.S.C. § 1997e(g)(2), defendants are directed to respond to the complaint within the time provided by the applicable provisions of Rule 12 of the Federal Rules of Civil Procedure. IT IS SO ORDERED. (mp) (Entered: 09/03/2009)
09/02/2009	<u>18</u>	ORDER RE: SERVICE OF COMPLAINT AND PLAINTIFF'S MAILING ADDRESS by Magistrate Judge Alicia G. Rosenberg, re First Amended Complaint, <u>16</u> . The Court having reviewed plaintiff's First Amended Complaint, filed on August 12, 2009, IT IS ORDERED THAT: No later than November 2, 2009, plaintiff shall file with the Clerk of Court a Notice of Submission indicating that all required documents have been submitted to the United States Marshal for service of the Complaint. If plaintiff does not file the Notice of Submission by November 2, 2009, his action will be subject to dismissal without prejudice. No later than October 19, 2009, plaintiff shall serve and file with the court a Notice of Current Address which shall set forth plaintiff's current mailing address. The United States Marshal is ordered to serve the summons and complaint, as indicated on the attached Order Directing Service of Process by the United States Marshal filed on September 2, 2009. IT IS SO ORDERED. (Attachments: # <u>1</u> Notice of Submission of Documents to United States Marshal) (mp) (Entered: 09/03/2009)
09/02/2009		20 DAY DAY Summons Issued re First Amended Complaint, <u>16</u> as to Defendants Gloria Molina, Yvonne B. Burke, Zey Yaroslavsky, Don Knabe, Michael D. Antonovich, LeRoy Baca, Policarpio F. Enriquez. (mp) (Entered: 09/03/2009)
09/04/2009		PROPOSED ORDER RE: PLAINTIFF'S OBJECTIONS TO MAGISTRATE JUDGE'S RULING ON MOTION TO APPOINT COUNSEL issued by Magistrate Judge Alicia G. Rosenberg. Proposed Order forwarded to the District Judge for approval.(mp) (Entered: 09/04/2009)
09/08/2009	<u>19</u>	ORDER RE: PLAINTIFF'S OBJECTIONS TO MAGISTRATE JUDGE'S RULING ON MOTION TO APPOINT COUNSEL by Judge John F. Walter, re Objections – non–motion <u>8</u> . IT IS THEREFORE ORDERED that Plaintiff's objections are OVERRULED. (See Order for details.) (mp) (Entered: 09/10/2009)
09/17/2009	<u>20</u>	NOTICE OF SUBMISSION OF DOCUMENTS TO UNITED STATES MARSHAL filed by plaintiff Maurice P. Olivier. (ag) (Entered: 09/17/2009)
09/17/2009	<u>21</u>	NOTICE OF CURRENT ADDRESS filed by plaintiff Maurice P. Olivier.(ag) (Entered: 09/17/2009)
09/17/2009	<u>22</u>	MOTION FOR APPOINTMENT OF COUNSEL PURSUANT TO 28 U.S.C. 1915(e)(1), filed by plaintiff Maurice P. Olivier. (ag) (Entered: 09/17/2009)
09/18/2009	<u>23</u>	(IN CHAMBERS): APPOINTMENT OF COUNSEL by Magistrate Judge Alicia G. Rosenberg: denying <u>22</u> Motion for Appointment of Counsel. ***See document for further details*** (ag) (Entered: 09/18/2009)
09/21/2009	<u>24</u>	PROCESS RECEIPT AND RETURN (USM–285) of summons and Complaint (Prisoner Civil Rights), <u>3</u> upon Board of Supervisor – Gloria Molina served on 9/16/2009, answer due 10/6/2009, served by personal service, by Federal statute, upon Ernestina Rhind. Remarks: P/S 9/16. (ca) (Entered: 09/21/2009)

09/21/2009	<u>25</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons and Complaint (Prisoner Civil Rights), <u>3</u> upon Board of Supervisor, Zey Yaroslavsky served on 9/16/2009, answer due 10/6/2009, served by personal service, by Federal statute, upon Ernestine Rhind, Deputy Clerk. Remarks: P/S 9/16. (ca) (Entered: 09/21/2009)
09/21/2009	<u>26</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons and Complaint (Prisoner Civil Rights), <u>3</u> upon Board of Supervisore – Don Knabe served on 9/16/2009, answer due 10/6/2009, served by personal service, by Federal statute, upon Ernestina Rhind, Deputy Clerk. Remarks: P/S/ 9/16. (ca) (Entered: 09/21/2009)
09/21/2009	<u>27</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons and Complaint (Prisoner Civil Rights), <u>3</u> upon Board of Supervisor – Michael D. Antonovich served on 9/16/2009, answer due 10/6/2009, served by personal service, by Federal statute, upon Ernestina Rhind, Deputy Clerk. Remarks: P/S 9/16. (ca) (Entered: 09/21/2009)
09/21/2009	<u>28</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons and Complaint (Prisoner Civil Rights), <u>3</u> upon Los Angeles County Sheriff – LeRoy Baca served on 9/16/2009, answer due 10/6/2009, served by personal service, by Federal statute, upon Denise Dougherty (OAZ). Remarks: P/S 9/16. (ca) (Entered: 09/21/2009)
09/21/2009	<u>29</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons and Complaint (Prisoner Civil Rights), <u>3</u> upon Michael D. Antonovich answer due 10/6/2009, served by personal service, by Federal statute, upon (not indicated). Remarks: none. (ca) (Entered: 09/21/2009)
09/21/2009	<u>30</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons and Complaint (Prisoner Civil Rights), <u>3</u> upon LeRoy Baca served on 9/16/2009, answer due 10/6/2009 served by personal service, by Federal statute, upon (not indicated). Remarks: none. (ca) (Entered: 09/21/2009)
09/21/2009	<u>31</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons and Complaint (Prisoner Civil Rights), <u>3</u> upon Policarpio F. Enriquez served on 9/16/2009, answer due 10/6/2009, served by personal service, by Federal statute, upon (not indicated). Remarks: none. (ca) (Entered: 09/21/2009)
09/21/2009	<u>32</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons and Complaint (Prisoner Civil Rights), <u>3</u> upon Don Knabe served on 9/16/2009, answer due 10/6/2009 served by personal service, by Federal statute, upon (not indicated). Remarks: none. (ca) (Entered: 09/21/2009)
09/21/2009	<u>33</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons and Complaint (Prisoner Civil Rights), <u>3</u> upon Zey Yaroslavsky served on 9/16/2009, answer due 10/6/2009, served by personal service, by Federal statute, upon (not indicated). Remarks: none. (ca) (Entered: 09/21/2009)
09/21/2009	<u>34</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons and Complaint (Prisoner Civil Rights), <u>3</u> upon Gloria Molina served on 9/16/2009, answer due 10/6/2009, served by personal service, by Federal statute, upon (not indicated). Remarks: none. (ca) (Entered: 09/21/2009)
09/21/2009	<u>35</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons unexecuted re Complaint (Prisoner Civil Rights), <u>3</u> for Yvonne B. Burke. (ca) (Entered: 09/21/2009)
09/21/2009	<u>36</u>	PROCESS RECEIPT AND RETURN (USM-285) of summons unexecuted re Complaint (Prisoner Civil Rights), <u>3</u> for Board of Supervisor – Yvonne B. Burke. (ca) (Entered: 09/21/2009)
10/05/2009	<u>37</u>	EX PARTE APPLICATION for Extend Time to File Answer to 11/9/2009 re Amended Complaint, <u>16</u> filed by DEFENDANTS Gloria Molina, Zey Yaroslavsky, Don Knabe, Michael D. Antonovich, LeRoy Baca, Policarpio F. Enriquez. (Attachments: # <u>1</u> Exhibit A TO DANIEL LEE DECLARATION, # <u>2</u> Proposed Order)(Lee, Daniel) (Entered: 10/05/2009)
10/06/2009	<u>38</u>	ORDER GRANTING Ex Parte Application for Extension of Time to Answer <u>37</u> by Magistrate Judge Alicia G. Rosenberg: IT IS ORDERED that Defendants have until November 9, 2009, to respond to Plaintiff Maurice Pierre Olivier's First Amended Complaint. (ca) (Entered: 10/06/2009)

11/09/2009	<u>39</u>	NOTICE OF MOTION AND MOTION to Dismiss PLAINTIFF'S FIRST AMENDED COMPLAINT filed by DEFENDANTS Gloria Molina, Zey Yaroslavsky, Don Knabe, Michael D. Antonovich, LeRoy Baca, Policarpio F. Enriquez. Motion set for hearing on 12/8/2009 at 10:00 AM before Magistrate Judge Alicia G. Rosenberg. (Attachments: # <u>1</u> Proposed Order)(Lee, Daniel) (Entered: 11/09/2009)
11/10/2009	<u>40</u>	ORDER RE DEFENDANTS MOTION TO DISMISS COMPLAINT and NOTICE TO PLAINTIFF OF THEREQUIREMENTS OF AN UNENUMERATED MOTION UNDER FEDERAL RULE 12(b) by Magistrate Judge Alicia G. Rosenberg: THIS NOTICE IS REQUIRED TO BE GIVEN TO YOU BY THE COURT. PLEASE READ THIS ORDER CAREFULLY. On November 9, 2009, defendants filed a Motion to Dismiss by which they seek to have your case dismissed on the ground that you failed to exhaust your administrative remedies. Failure to exhaust administrative remedies is subject to an unenumerated Fed. R. Civ. P. 12(b) motion. Wyatt v. Terhune, 315 F.3d 1108, 1119 (9th Cir.), cert. denied,540 U.S. 810 (2003). DEADLINES: Plaintiff is ORDERED to file his opposition to defendants motion to dismiss no later than December 9, 2009. Defendants are ORDERED to serve and file a reply no later than January 8, 2010. The Court will take the motion under submission without oral argument as of the date defendants reply is due. See order for details. (Attachments: # <u>1</u> Local Rule 12) (ca) (Entered: 11/10/2009)
11/10/2009	<u>41</u>	NOTICE of Change of Attorney Information for attorney Paul B Beach counsel for Defendants Gloria Molina, Zey Yaroslavsky, Don Knabe, Michael D. Antonovich, LeRoy Baca, Policarpio F. Enriquez. Adding Paul B Beach as attorney as counsel of record for Gloria Molina, Zey Yaroslavsky, Don Knabe, Michael D. Antonovich, Sheriff Leroy D. Baca, Policarpio Enriques for the reason indicated in the G-06 Notice. Filed by Defendants Gloria Molina, Zey Yaroslavsky, Don Knabe, Michael D. Antonovich, Sheriff Leroy D. Baca, Policarpio Enriquez (Beach, Paul) (Entered: 11/10/2009)
12/10/2009	<u>42</u>	NOTICE OF DISCREPANCY AND ORDER: by Magistrate Judge Alicia G. Rosenberg, ORDERING 1. Plaintiff's First Set of Interrogatories to Kevin Kelly; 2. Plaintiff's First Request for Production of Documents (Seven Requests) submitted by Plaintiff Maurice P Olivier received on December 10, 2009 is not to be filed but instead rejected. Denial based on: Discovery is not to be filed with the Court. (Attachments: # <u>1</u> Discovery by Plaintiff) (mp) (Entered: 12/11/2009)
12/10/2009	<u>43</u>	NOTICE AND REQUEST FOR JUDICIAL NOTICE Pursuant to Title 28 Federal Rules of Evidence Rule 201(b) in support of plaintiff's Opposition to Motion to Dismiss filed by plaintiff Maurice P Olivier. (ca) (Entered: 12/14/2009)
12/10/2009	<u>44</u>	MOTION in OPPOSITION to Motion to Dismiss COMPLAINT Pursuant to 42 U.S.C. Section 1997e(a), Fed. R. Civ. Proc. 12(b)(6), <u>39</u> filed by Plaintiff Maurice P Olivier. (ca) (Entered: 12/14/2009)
12/10/2009	<u>45</u>	MOTION requesting subpoenas to attach with subpoena duces tecums filed by plaintiff Maurice P Olivier. (ca) (Entered: 12/14/2009)
01/08/2010	<u>46</u>	REPLY IN SUPPORT OF MOTION to Dismiss PLAINTIFF'S FIRST AMENDED COMPLAINT <u>39</u> filed by Defendants Gloria Molina, Zey Yaroslavsky, Don Knabe, Michael D. Antonovich, LeRoy Baca, Policarpio F. Enriquez. (Lee, Daniel) (Entered: 01/08/2010)
01/19/2010	<u>47</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: granting <u>45</u> Motion for Subpoenas. DEFENDANTS' MOTION TO DISMISS AND PLAINTIFF'S MOTION FOR SUBPOENAS. Plaintiff's Motion is GRANTED. The Clerk is DIRECTED to provide Plaintiff with three Subpoenas to Produce Documents, Information, or Objects or their equivalent, sign and date the subpoenas in the appropriate boxes, and complete the case caption at the top of the subpoenas. IT IS HEREBY ORDERED that: 1. On or before February 26, 2010, Plaintiff may file a supplemental opposition that includes any additional evidence related to exhaustion. 2. On or before January 29, 2010, Defendants shall file a supplemental brief that further explains the exhaustion process at the Los Angeles County Jail. 3. Unless otherwise ordered, the court will take the motion to dismiss under submission on the date Plaintiff's supplemental brief is due. (See Order for details.) (mp) (Entered: 01/19/2010)

01/29/2010	<u>48</u>	SUPPLEMENT to MOTION to Dismiss PLAINTIFF'S FIRST AMENDED COMPLAINT <u>39</u> filed by Defendants Gloria Molina, Zey Yaroslavsky, Don Knabe, Michael D. Antonovich, LeRoy Baca, Policarpio F. Enriquez. (Lee, Daniel) (Entered: 01/29/2010)
02/03/2010	<u>49</u>	Affidavit for Subpoena Duces Tecum issued as to ACLU/SE Jaels Project Coordinator/Custodian of Records. (es) (Entered: 02/08/2010)
02/03/2010	<u>50</u>	Affidavit for Subpoena Duces Tecum issued as to Yagman & Yagman & Reichman/Custodian of Records. (es) (Entered: 02/08/2010)
02/05/2010	<u>51</u>	AFFIDAVIT FOR SUBPOENA DUCES TECUM IN A CIVIL CASE issued as to U.S. Department of Justice. (mp) (Entered: 02/08/2010)
02/08/2010	<u>52</u>	MINUTES OF IN CHAMBERS ORDER RE PLAINTIFF'S SUBPOENAS by Magistrate Judge Alicia G. Rosenberg: re: Subpoena (AO 88) Issued <u>51</u> , Subpoena (AO 88) Issued <u>49</u> , Subpoena (AO 88) Issued <u>50</u> . IT IS HEREBY ORDERED that Plaintiff notify the subpoenaed parties as soon as possible that the documents shall be produced ONLY to Plaintiff, and NOT to the Court. Pursuant to this court's order dated January 19, 2010, Plaintiff may file a supplemental opposition that includes any additional evidence related to exhaustion on or before February 26, 2010. If Plaintiff does not file a timely supplemental opposition, the court will decide the motion to dismiss based on the papers in the record. (See Order for details) (mp) (Entered: 02/08/2010)
02/17/2010	<u>53</u>	Supplemental Motion in Opposition to Defendants Motion to Dismiss Pursuant to Fed.R.Evid. Rule 803(6)d the Civil Rights of Institutionalized Persons Act <u>39</u> filed by Plaintiff Maurice P Olivier. (es) (Entered: 02/19/2010)
02/24/2010	<u>54</u>	MOTION Requesting Order to Comply Pursuant to Fed.R.Civ.P 45(e) filed by plaintiff Maurice P Olivier. (es) (Entered: 02/26/2010)
02/24/2010	<u>55</u>	MOTION Requesting Extension of Time filed by plaintiff Maurice P Olivier. (es) (Entered: 02/26/2010)
03/02/2010	<u>56</u>	MINUTES (IN CHAMBERS): ORDER RE PLAINTIFF'S MOTION TO COMPEL by Magistrate Judge Alicia G. Rosenberg <u>54</u> . The Custodian of Records is ORDERED, on or before March 16, 2010, to file and serve a response to Plaintiff's motion. (See Order for details.) (mp) (Entered: 03/02/2010)
03/02/2010	<u>57</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: granting <u>55</u> Motion for Extension of Time. Plaintiff's request is GRANTED. Plaintiff may file a supplemental opposition on or before April 1, 2010. (See Order for details.) (mp) (Entered: 03/02/2010)
03/02/2010	<u>70</u>	PROOF OF SERVICE filed by plaintiff Maurice P Olivier, served on 3/24/10 by mail. (se) (Entered: 03/30/2010)
03/05/2010	<u>59</u>	NOTICE OF MOTION SHOWING RE MAILING OF SUBPOENA DUCES TECUM filed by Plaintiff Maurice P Olivier. (mp) (Entered: 03/08/2010)
03/08/2010	<u>58</u>	RESPONSE OF CUSTODIAN OF RECORDS FOR YAGMAN & YAGMAN & REICHMANN TO ORDER TO SHOW CAUSE filed by Custodian of Record for Yagman & Yagman & Reichmann <u>56</u> (mp) (Entered: 03/08/2010)
03/08/2010	<u>61</u>	MOTION Requesting Order for to Comply Pursuant to Fed.R.Civ.P. 45(c) filed by plaintiff Maurice P Olivier. (es) (Entered: 03/12/2010)
03/09/2010	<u>60</u>	MINUTES OF IN CHAMBERS ORDER by Magistrate Judge Alicia G. Rosenberg re: PLAINTIFF'S MOTION TO COMPEL RE YAGMAN & YAGMAN & REICHMANN <u>54</u> . On March 8, 2010, the Custodian (Attorney Marion Yagman) filed a response and an accompanying declaration. According to the Custodian, due to a clerical error, the subpoena was not brought to her attention. She did not learn of the subpoena until receiving the Court's March 2 order. On March 4, 2010, she mailed to Plaintiff "copies of the complete contents of the file maintained for Mr. Olivier." Accordingly, Plaintiff's motion is DENIED as moot. (mp) (Entered: 03/10/2010)
03/11/2010	<u>62</u>	SUPPLEMENTAL RESPONSE of Custodian of Records for Yagman & Yagman & Reichmann to Order to Show Cause filed by Plaintiff Maurice P Oliviero <u>56</u> (es)

		(Entered: 03/12/2010)
03/17/2010	<u>63</u>	MINUTES (IN CHAMBERS): ORDER RE: PLAINTIFF'S MOTION TO COMPEL RE DEPARTMENT OF JUSTICE SUBPOENA by Magistrate Judge Alicia G. Rosenberg: denying <u>61</u> Motion for Order. The documents Plaintiff seeks from the Civil Rights Division are unrelated to the exhaustion issue. At this stage of the proceedings there is a pending motion to dismiss the complaint. Plaintiff's motion to compel is DENIED without prejudice to Plaintiff's renewing the motion if the Court denies the motion to dismiss. (See Order for details) (mp) (Entered: 03/17/2010)
03/23/2010	<u>64</u>	MOTION Requesting an Extension of Time filed by plaintiff Maurice P Olivier. (es) (Entered: 03/24/2010)
03/23/2010	<u>65</u>	MOTION for Order to Comply Pursuant to Fed.R.Civ.P 45(e) filed by plaintiff Maurice P Olivier. (es) (Entered: 03/24/2010)
03/24/2010	<u>66</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: granting <u>64</u> Motion for Extension of Time. PLAINTIFF'S MOTION TO COMPEL RE ACLU SUBPOENA AND REQUEST FOR EXTENSION OF TIME. Plaintiff is ORDERED, on or before April 8, 2010, to file a declaration indicating whether the documents requested in Category No. 4 relate to the exhaustion issue and, if so, how. Also on March 23, 2010, Plaintiff filed a request for an extension of time to file his supplemental opposition. Plaintiff's request is GRANTED. Plaintiff may have until April 29, 2010, to file a supplemental opposition. (mp) (Entered: 03/24/2010)
03/26/2010	<u>67</u>	OBJECTIONS to Magistrate Judge's Order Pursuant to Fed.R.Civ.P 72(a) filed by Plaintiff Maurice P Olivier. (es) (Entered: 03/26/2010)
03/26/2010	<u>68</u>	SUPPLEMENTAL Motion in Opposition Pursuant to Fed.R.Civ.P 45(a)(1) filed by plaintiff Maurice P Olivier. (es) (Entered: 03/26/2010)
03/26/2010	<u>69</u>	(STRICKEN PER NOTICE DATED APRIL 13, 2010)OBJECTIONS to Magistrate Judge's Order on Motion for Order <u>63</u> filed by Plaintiff Maurice P Olivier. (se) Modified on 4/13/2010 (mp). (Additional attachment(s) added on 4/13/2010: # <u>1</u> Document Stricken) (mp). (Entered: 03/30/2010)
04/01/2010	<u>71</u>	MINUTES IN CHAMBERS by Judge John F. Walter: ORDER OVERRULING Plaintiff's Objections to Magistrate Judge's Order <u>67</u> Pursuant to FRCP 72(a), the Court has reviewed the plaintiff's objections to Magistrate Judge's Order filed 3/17/2010 [Dkt. No. 63]. The Court concludes that the Magistrate Judge's Order is not clearly erroneous or contrary to law and overrules plaintiff's objections. (jp) (Entered: 04/01/2010)
04/05/2010	<u>72</u>	OBJECTIONS to Magistrate Judge's Order Pursuant to Fed.R.Civ.P 72(a) filed by Plaintiff Maurice P Olivier. (es) (Entered: 04/06/2010)
04/07/2010	<u>73</u>	DECLARATION of Maurice P. Olivier re Order on Motion for Extension of Time <u>66</u> filed by Plaintiff Maurice P Olivier. (mp) (Entered: 04/07/2010)
04/13/2010	<u>74</u>	NOTICE OF CLERICAL ERROR Re: Objections – non–motion <u>69</u> . Duplicate entry due to clerical error. Document Number 69 is stricken. (mp) (Entered: 04/13/2010)
04/13/2010	<u>75</u>	NOTICE OF DISCREPANCY AND ORDER: by Magistrate Judge Alicia G. Rosenberg, ORDERING Objection to Magistrate Judge's Order Pursuant to Fed. R. Civ. R. 72(a) submitted by Plaintiff Maurice P Olivier received on April 12, 2010 is not to be filed but instead rejected. Denial based on: Duplicate filing. The same document was received and filed on April 5, 2010. (Attachments: # <u>1</u> Objection) (mp) (Entered: 04/13/2010)
04/19/2010	<u>76</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: denying <u>65</u> PLAINTIFF'S MOTION TO COMPEL RE ACLU SUBPOENA. Plaintiff's motion to compel (Dkt. No. 65) is DENIED without prejudice to Plaintiff's renewing the motion if the Court denies the motion to dismiss. (See Order for details.) (mp) (Entered: 04/19/2010)
06/01/2010	<u>77</u>	NOTICE OF FILING REPORT AND RECOMMENDATION by Magistrate Judge Alicia G. Rosenberg. Objections to R&R due by 6/24/2010. A party may respond to another party's Objections within 14 days after being served with a copy of the

		Objections. (Attachments: # <u>1</u> Report and Recommendation of United States Magistrate Judge) (mp) (Entered: 06/01/2010)
06/01/2010	<u>78</u>	REPORT AND RECOMMENDATION issued by Magistrate Judge Alicia G. Rosenberg Re MOTION to Dismiss PLAINTIFF'S FIRST AMENDED COMPLAINT <u>39</u> . The Court submits this Report and Recommendation to the Honorable John F. Walter, United States District Judge, pursuant to 28 U.S.C. § 636 and General Order No. 05-07 of the United States District Court for the Central District of California. For the reasons set forth below, the Magistrate Judge recommends that Defendants' motion to dismiss the First Amended Complaint be granted in part and denied in part. (See Order for details.) (mp) (Entered: 06/01/2010)
06/24/2010	<u>79</u>	OBJECTION to Report and Recommendation (Issued), Report and Recommendation (Issued), Report and Recommendation (Issued) <u>78</u> filed by DEFENDANTS Michael D. Antonovich, LeRoy Baca, Policarpio F. Enriquez, Don Knabe, Gloria Molina, Zey Yaroslavsky. (Attachments: # <u>1</u> Exhibit A - C)(Allen, Matthew) (Entered: 06/24/2010)
06/24/2010	<u>80</u>	OBJECTION to Report and Recommendation <u>78</u> filed by plaintiff Maurice P Olivier.(es) (Entered: 06/25/2010)
07/06/2010	<u>81</u>	ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION by Judge John F. Walter: IT IS ORDERED that (1) the Report and Recommendation is adopted; (2) Defendants' unenumerated Rule 12(b) motion based on failure to exhaust remedies is granted in part and denied in part; (3) Claim Three is dismissed without prejudice for failure to exhaust administrative remedies; (4) Defendants' Rule 12(b)(6) motion to dismiss for failure to state a claim is granted in part and denied in part; (5) Defendants Molina, Burke, Yaroslavsky, Knabe, and Antonovich are dismissed; and (6) Claim Two is dismissed with leave to amend solely to allege a claim against Sheriff Leroy Baca in his individual and/or official capacity. Plaintiff is granted leave to file a Second Amended Complaint within 30 days after the date of this order. <u>39</u> (es) (Entered: 07/08/2010)
07/08/2010	<u>82</u>	REPLY TO OBJECTION to Report and Recommendation (Issued), Report and Recommendation (Issued), Report and Recommendation (Issued) <u>78</u> filed by DEFENDANTS Michael D. Antonovich, LeRoy Baca, Yvonne B. Burke, Policarpio F. Enriquez, Don Knabe, Gloria Molina, Zey Yaroslavsky.(Allen, Matthew) (Entered: 07/08/2010)
07/20/2010	<u>83</u>	MOTION to Compel Pursuant to Fed.R.Civ.P 45(e) filed by plaintiff Maurice P Olivier. (es) (Entered: 07/21/2010)
07/22/2010	<u>84</u>	MINUTES OF IN CHAMBERS ORDER by Magistrate Judge Alicia G. Rosenberg re: MOTION to Compel Pursuant to Fed.R.Civ.P 45(e) <u>83</u> . PLAINTIFF'S MOTION TO COMPEL RE ACLU SUBPOENA. The ACLU of Southern California is ORDERED, on or before August 6, 2010, to file and serve a response to Plaintiff's motion to compel. Alternatively, the ACLU may produce all the documents to Plaintiff at Calipatria State Prison, CDC F-83603, Building D-5 #131, P.O.Box 5002, Calipatria, CA 92233. Despite the directions in the subpoena, the ACLU should not produce the subpoenaed documents to this Court. If the ACLU chooses to comply with the subpoena, it shall, on or before August 6, 2010, file and serve a Notice that it has done so. (mp) (Entered: 07/22/2010)
07/26/2010	<u>85</u>	MOTION for Extension of Time and Copy of First Amended Complaint filed by plaintiff Maurice P Olivier. (es) (Entered: 07/27/2010)
07/27/2010	<u>86</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: granting <u>85</u> Motion for Extension of Time. PLAINTIFF'S REQUEST FOR EXTENSION OF TIME AND A COPY OF THE FIRST AMENDED COMPLAINT. The Court is in receipt of Plaintiff's "Motion Requesting Extension of Time and Copy of First Amended Complaint" filed on July 26, 2010. Plaintiff's request is GRANTED. IT IS HEREBY ORDERED that Plaintiff's Second Amended Complaint is due no later than September 7, 2010. The Clerk is directed to mail Plaintiff a copy of his First Amended Complaint. (mp) (Entered: 07/28/2010)
08/09/2010	<u>87</u>	NOTICE of Compliance filed by Third Party Filer (se) (Entered: 08/10/2010)

08/23/2010	<u>88</u>	MOTION REQUESTING RE-ISSUANCE OF ORDER TO COMPEL filed by Plaintiff Maurice P Olivier. (mp) (Entered: 08/24/2010)
08/23/2010	<u>89</u>	SECOND AMENDED COMPLAINT against Defendant Leroy Baca; Party Policarpio F. Enriquez, Don Knabe, Gloria Molina, Zey Yaroslavsky, Michael D. Antonovich and Yvonne B. Burke terminated amending First Amended Complaint, <u>16</u> ,filed by Plaintiff Maurice P Olivier (mp) (Entered: 08/24/2010)
08/25/2010	<u>90</u>	IN CHAMBERS: SECOND AMENDED COMPLAINT by Magistrate Judge Alicia G. Rosenberg. Plaintiff was correct not to name the dismissed defendants in the SAC. Plaintiff was also correct not to allege dismissed Claim Three. However, Plaintiff did not reallege Claim One. In addition, Plaintiff must state a request for relief. See Fed. R. Civ. P. 8(a)(3). Accordingly, Plaintiff is ORDERED to file a corrected SAC on or before September 16, 2010. ***See Order for further, important, details*** (ag) (Entered: 08/26/2010)
08/26/2010	<u>91</u>	IN CHAMBERS: PLAINTIFF'S MOTION TO COMPEL RE ACLU SUBPOENA by Magistrate Judge Alicia G. Rosenberg. Accordingly, the ACLU of Southern California is ORDERED, on or before September 9, 2010, to file and serve a response to Plaintiff's motion to compel. Alternatively, the ACLU may produce the following documents to Plaintiff: (1) the documents described in Categories 1, 3, and 4; and (2) any additional responsive documents described in Category 2 (through August 2007). If the ACLU chooses to comply with the subpoena, it shall, on or before September 9, 2010, file and serve a Notice of Compliance that it has done so. ***See Order for further details*** (ag) (Entered: 08/26/2010)
09/14/2010	<u>92</u>	CORRECTED SECOND AMENDED COMPLAINT against defendant LeRoy Baca correcting Amended Complaint, <u>89</u> , filed by plaintiff Maurice P Olivier (es) (Entered: 09/15/2010)
09/24/2010	<u>93</u>	NOTICE OF MOTION AND MOTION to Dismiss Plaintiff's Corrected Second Amended Complaint filed by Defendant LeRoy Baca. Motion set for hearing on 10/26/2010 at 10:00 AM before Magistrate Judge Alicia G. Rosenberg. (Attachments: # <u>1</u> Proposed Order)(Lee, Daniel) (Entered: 09/24/2010)
09/24/2010	<u>95</u>	NOTICE of Compliance filed by ACLU of Southern California, Third Party Filer. (es) (Entered: 09/27/2010)
09/27/2010	<u>94</u>	NOTICE OF DOCUMENT DISCREPANCIES AND ORDER by Magistrate Judge Alicia G. Rosenberg ORDERING ThirdParty filer Notice of Compliance submitted by ThirdParty ACLU of Southern California received on 9/245/10 to be filed and processed; filed date to be the date the document was stamped Received but not Filed with the Clerk. (es) (Entered: 09/27/2010)
09/27/2010	<u>96</u>	ORDER RE DEFENDANT'S MOTION TO DISMISS COMPLAINT and NOTICE TO PLAINTIFF OF THEREQUIREMENTS OF AN UNENUMERATED MOTION UNDER FEDERAL RULE 12(b) by Magistrate Judge Alicia G. Rosenberg. THIS NOTICE IS REQUIRED TO BE GIVEN TO YOU BY THE COURT. PLEASE READ THIS ORDER CAREFULLY. On September 24, 2010, defendants filed a Motion to Dismiss by which they seek to have your case dismissed on the ground that you failed to exhaust your administrative remedies. <u>93</u> Plaintiff is ORDERED to file his opposition to defendants' motion to dismiss no later than October 25, 2010. Defendants are ORDERED to serve and file a reply no later than November 24, 2010. The Court will take the motion under submission without oral argument as of the date defendants' reply is due. (See attached order for further details.) (Attachments: # <u>1</u> F.R.C.P. Rule 12) (es) (Entered: 09/28/2010)
10/08/2010	<u>97</u>	MOTION IN OPPOSITION TO DISMISS PLAINTIFF'S CASE PURSUANT TO 42 U.S.C. SECTION 1997 (c)(a) AND FED.R.CIV.P. 12(b) MOTION to Dismiss Plaintiff's Corrected Second Amended Complaint <u>93</u> filed by Plaintiff Maurice P Olivier. (mp) (Entered: 10/13/2010)
11/24/2010	<u>98</u>	REPLY in support of MOTION to Dismiss Plaintiff's Corrected Second Amended Complaint <u>93</u> filed by Defendant LeRoy Baca. (Lee, Daniel) (Entered: 11/24/2010)
11/29/2010	<u>99</u>	DECLARATION of Dawn Abarca in support of MOTION to Dismiss Plaintiff's Corrected Second Amended Complaint <u>93</u> and Reply to Plaintiff's Opposition <u>98</u> filed by Defendant LeRoy Baca. (Lee, Daniel) (Entered: 11/29/2010)

12/22/2010	<u>100</u>	NOTICE of Change of address Changing plaintiff address to California Training Facility, P O Box 686, Soledad, CA 93960-0686 Filed by Plaintiff Maurice Pierre Olivier. (es) (Entered: 01/04/2011)
01/11/2011	<u>101</u>	NOTICE of Change of address Changing address to CTF State Prison, Rainier Hall #311U, P O Box 705, Soledad, CA 93960-0705. Filed by Plaintiff Maurice Pierre Olivier. (es) (Entered: 01/13/2011)
02/03/2011	<u>102</u>	MOTION REQUESTING STATUS OF COMPLAINT PURSUANT TO FED.R.CIV.P 7(b)(1) filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 02/07/2011)
03/11/2011	<u>103</u>	SECOND Request for Status of Complaint Pursuant to Fed.R.Civ.P. 7(b)(1) filed by plaintiff Maurice Pierre Olivier. (es) (Entered: 03/15/2011)
03/24/2011	<u>104</u>	MOTION REQUESTING REPORT AND RECOMMENDATION PURSUANT TO 28 U.S.C. SECTION 636 & FED.R.CIV.P. 41(b)filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 03/30/2011)
07/14/2011	<u>105</u>	REPORT AND RECOMMENDATION issued by Magistrate Judge Alicia G. Rosenberg Re MOTION to Dismiss Plaintiff's Corrected Second Amended Complaint <u>93</u> . The Court submits this Report and Recommendation to the Honorable John F. Walter, United States District Judge, pursuant to 28 U.S.C. § 636 and General Order No. 05-07 of the United States District Court for the Central District of California. For the reasons set forth below, the Magistrate Judge recommends that Defendant's motion to dismiss the Second Amended Complaint be granted in part and denied in part. (See Order for details.) (mp) (Entered: 07/15/2011)
07/15/2011	<u>106</u>	NOTICE OF FILING REPORT AND RECOMMENDATION by Magistrate Judge Alicia G. Rosenberg. Objections to R&R due by 8/8/2011. A party may respond to another party's Objections within 14 days after being served with a copy of the Objections. (Attachments: # <u>1</u> Report and Recommendation) (mp) (Entered: 07/15/2011)
07/28/2011	<u>107</u>	MOTION Requesting Order Compelling Disclosure or Discovery and Sanctions Pursuant to Fed.R.Civ.P 37(A)(1) and (c)(1)(A) filed by plaintiff Maurice Pierre Olivier. (es) Modified on 8/1/2011 (es). (Entered: 08/01/2011)
07/28/2011	<u>108</u>	Certification Pursuant to Fed.R.Civ.P 37(a)(2)(A)(B) filed by plaintiff Maurice Pierre Olivier. (es) (Entered: 08/01/2011)
08/01/2011	<u>109</u>	OBJECTIONS W/EXHIBITS TO THE REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE DATED 7/15/11 to Report and Recommendation (Issued) <u>105</u> filed by Plaintiff Maurice Pierre Olivier.(mp) (Entered: 08/03/2011)
08/08/2011	<u>110</u>	OBJECTION to Report and Recommendation (Issued), Report and Recommendation (Issued), Report and Recommendation (Issued) <u>105</u> filed by Defendant LeRoy Baca.(Lee, Daniel) (Entered: 08/08/2011)
08/10/2011	<u>111</u>	REPLY TO OBJECTION to Report and Recommendation (Issued), Report and Recommendation (Issued), Report and Recommendation (Issued) <u>105</u> filed by Defendant LeRoy Baca. (<i>Defendant's Response to Plaintiff's Objections</i>) (Lee, Daniel) (Entered: 08/10/2011)
08/10/2011	<u>112</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: denying <u>102</u> Motion for Order; denying <u>103</u> Request for Order; denying <u>104</u> Motion for Order. PLAINTIFF'S REQUESTS. On February 3, 2011, Plaintiff filed a motion requesting the "status" of his complaint. On March 11, 2011, Plaintiff filed a second motion requesting status. On March 24, 2011, Plaintiff filed a motion asking whether a Report and Recommendation had been filed. On July 14, 2011, a Report and Recommendation was filed. (Dkt. No. 105.)Accordingly, Plaintiff's three motions (Dkt. Nos. 102-104) are DENIED as moot. (mp) (Entered: 08/10/2011)
08/15/2011	<u>113</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS by Judge John F. Walter for Report and Recommendation (Issued) <u>105</u> . Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, records on file, and the Report and Recommendation of the United States Magistrate Judge. Further, the Court has

		engaged in a de novo review of those portions of the Report to which the parties have objected. The Court accepts the findings and recommendation of the Magistrate Judge. IT IS ORDERED that (1) the Report and Recommendation is adopted; (2) Defendant's unenumerated Rule 12(b) motion based on failure to exhaust remedies is granted in part and denied in part; (3) Defendant's Rule 12(b)(6) motion to dismiss for failure to state a claim is granted in part and denied in part; (4) Claim Two with respect to cell infestation other than lice is dismissed without prejudice; (5) Defendant Baca in his individual capacity in Claim Two is dismissed with prejudice; (6) both claims based on the Fifth Amendment are dismissed with prejudice; (7) both claims based on the Standard Minimum Rules for the Treatment of Prisoners are dismissed with prejudice; and (8) the failure to train claim with respect to Claim Two is dismissed with prejudice. (See Order for details.) (mp) (Entered: 08/16/2011)
08/17/2011	<u>114</u>	MOTION for Appointment of Counsel Pursuant to 28 U.S.C. §1915(E)(1) filed by plaintiff Maurice Pierre Olivier. (es) (Entered: 08/18/2011)
08/19/2011	<u>117</u>	REPLY TO OBJECTION to Report and Recommendation (Issued) <u>105</u> filed by Plaintiff Maurice Pierre Olivier.(mp) (Entered: 08/23/2011)
08/22/2011	<u>115</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: denying <u>114</u> Motion for Appointment of Counsel. PLAINTIFF'S THIRD REQUEST FOR APPOINTMENT OF COUNSEL. Plaintiff's Motion (Dkt. No. 114) is DENIED without prejudice. (See Order for details.) (mp) (Entered: 08/22/2011)
08/22/2011	<u>116</u>	MINUTE ORDER IN CHAMBERS by Magistrate Judge Alicia G. Rosenberg: re: MOTION to Compel or Discovery and Sanctions Pursuant to Fed.R.Civ.P 27(A)(1) and (c)(1)(A) <u>107</u> . On July 28, 2011, Plaintiff filed a motion to compel Defendant to make further responses to Plaintiff's discovery requests. Defendant is ORDERED to file an opposition on or before September 12, 2011. If Plaintiff wishes to file a reply, he must do so within two weeks of the filing of Defendant's opposition. The Court will take the matter under submission on the date Plaintiff files his reply or on the date it is due, whichever is sooner. (mp) (Entered: 08/22/2011)
08/30/2011	<u>118</u>	ANSWER to Corrected Complaint <u>92</u> with JURY DEMAND filed by Defendant LeRoy Baca.(Lee, Daniel) (Entered: 08/30/2011)
08/31/2011	<u>119</u>	ORDER RE DISCOVERY AND MOTIONS by Magistrate Judge Alicia G. Rosenberg, re Corrected Complaint <u>92</u> . All discovery shall be completed on or before March 30, 2012. No discovery may be taken after that date without the prior approval of the Court. Any motion challenging the adequacy of a discovery response, or seeking an order compelling further discovery, shall be filed and served not later than ten (10) calendar days after the discovery cut-off date. The Court expects the parties to resolve discovery problems among themselves whenever possible. Each party shall file and serve a status report on or before November 30, 2011. Any motions directed to the Court's jurisdiction or to the merits of any claim or defense(such as a motion to dismiss or a motion for summary judgment) shall be filed and served not later than April 30, 2012. (See Order for details.) (mp) (Entered: 08/31/2011)
09/12/2011	<u>120</u>	OPPOSITION to re: MOTION to Compel or Discovery and Sanctions Pursuant to Fed.R.Civ.P 27(A)(1) and (c)(1)(A) <u>107</u> filed by Defendant LeRoy Baca. (Attachments: # <u>1</u> Exhibit A-B, Nos. 18-83, # <u>2</u> Exhibit B-D, Nos. 84-150)(Lee, Daniel) (Entered: 09/12/2011)
09/23/2011	<u>121</u>	REPLY to Defendant's Opposition Pursuant to Fed.R.Civ.P 7(a) <u>107</u> filed by Plaintiff Maurice Pierre Olivier. (es) (Entered: 09/27/2011)
10/04/2011	<u>122</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: denying <u>107</u> Motion to Compel. On July 28, 2011, Plaintiff filed a motion to compel Defendant to make further responses to Plaintiff's requests for production of documents. On September 12, 2011, Defendant filed an opposition. On September 23, 2011, Plaintiff filed a reply. As explained above, Plaintiff's motion to compel (Dkt. No. 107) is DENIED. Plaintiff's request for sanctions is also DENIED. (See Order for details.) (mp) (Entered: 10/05/2011)
10/06/2011	<u>123</u>	EX PARTE APPLICATION for Leave to take Plaintiff Maurice Olivier's deposition filed by Defendant LeRoy Baca. (Attachments: # <u>1</u> Proposed Order)(Lee, Daniel) (Entered: 10/06/2011)

10/07/2011	<u>124</u>	ORDER GRANTING DEFENDANTS EX PARTE APPLICATION FOR LEAVE TO TAKE PLAINTIFF MAURICE OLIVIERS DEPOSITION by Magistrate Judge Alicia G. Rosenberg, RE: <u>123</u> Ex Parte Application for Leave. IT IS HEREBY ORDERED that: 1. Defendants Application is hereby granted; 2. Pursuant to Federal Rules of Civil Procedure Rule 30(a)(2) and(b)(4), Defendant is granted leave to take the oral deposition of Plaintiff Maurice Olivier who is currently in custody at the Correctional Training Facility in Soledad, California, with Plaintiff to be provided at least ten (10) calendar days notice of the date of the deposition. (gr) (Entered: 10/07/2011)
11/10/2011	<u>125</u>	MOTION REQUESTING ORDER TO PRODUCE TRANSCRIPT OF DEPOSITION PURSUANT TO FED.R.CIV.P.30(e) filed by Plaintiff Maurice Pierre Olivier. (gr) (Entered: 11/14/2011)
11/15/2011	<u>126</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: denying <u>125</u> Motion for Order. PLAINTIFF'S REQUEST FOR DEPOSITION TRANSCRIPT. On October 7, 2011, the court granted Defendants' request to take Plaintiff's deposition. On November 10, 2011, Plaintiff filed a request for an order to produce a transcript of his deposition pursuant to Fed. R. Civ. P. 30(e). Plaintiff does not indicate that his deposition has been taken or, if it has, that he requested a transcript. Accordingly, Plaintiff's motion is DENIED without prejudice. (mp) (Entered: 11/15/2011)
11/21/2011	<u>127</u>	PLAINTIFF'S COURT ORDERED STATUS REPORT filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 11/23/2011)
11/30/2011	<u>128</u>	STATUS REPORT filed by Defendant LeRoy Baca. (Lee, Daniel) (Entered: 11/30/2011)
01/11/2012	<u>129</u>	NOTICE OF MOTION AND MOTION to Appoint Expert Witnesses filed by plaintiff Maurice Pierre Olivier. (gr) (Entered: 01/13/2012)
01/13/2012	<u>131</u>	NOTICE OF MOTION Requesting Certified Copy of Court Granting IFP Status filed by plaintiff Maurice Pierre Olivier. (gr) (Entered: 01/19/2012)
01/13/2012	<u>132</u>	MOTION REQUESTING Third Party Subpoenas filed by plaintiff Maurice Pierre Olivier. (gr) (Entered: 01/19/2012)
01/18/2012	<u>130</u>	MINUTES (IN CHAMBERS) ORDER PLAINTIFF'S MOTION TO APPOINT EXPERTS by Magistrate Judge Alicia G. Rosenberg. Fed. R. Evid. 706. Plaintiff states he needs a jail classification expert and a constitutional law expert. Accordingly, Plaintiffs motion to appoint expert witnesses is DENIED without prejudice. <u>129</u> [SEE ORDER FOR DETAILS] (gr) (Entered: 01/18/2012)
01/18/2012	<u>133</u>	MINUTES (IN CHAMBERS) ORDER: PLAINTIFF'S REQUESTS by Magistrate Judge Alicia G. Rosenberg. On November 7, 2008, former Magistrate Judge Johnson granted Plaintiff's IFP request. (Dkt. No. 2.) Plaintiff states he lost his copy during a prison transfer in 2010. Plaintiff's IFP Request (Dkt. No. 132) is GRANTED. Fed R. Civ. P. 45(a)(3) states that a "clerk must issue a subpoena, signed but otherwise in blank, to a party who requests it." Plaintiff's Subpoena Request (Dkt. No. 132) is GRANTED. The Clerk is DIRECTED (1) to send Plaintiff a copy of Dkt. No. 2 and (2) to issue and send Plaintiff two Subpoenas to Produce Documents (Form AO 88B). <u>131</u> <u>132</u> (gr) (Entered: 01/19/2012)
02/15/2012	<u>134</u>	NOTICE OF MOTION REQUESTING WAIVER OF WITNESS FEES & TRAVEL ALLOWANCES filed by plaintiff Maurice Pierre Olivier. (gr) (Entered: 02/21/2012)
02/15/2012	<u>135</u>	Notice of and REQUEST FOR JUDICIAL NOTICE filed by plaintiff Maurice Pierre Olivier. (gr) (Entered: 02/22/2012)
02/15/2012	<u>136</u>	MOTION REQUESTING U.S. MARSHALS SERVE SUBPOENAS PURSUANT TO 28 U.S.C. SECTION 1915[a] filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 02/23/2012)
02/21/2012	<u>137</u>	NOTICE OF MOTION PURSUANT TO FED. R. CIV. P. RULE 7(b) – NOTICE OF MOTION TO COMPEL DISCOVERY filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 02/23/2012)

02/21/2012	<u>138</u>	NOTICE OF MOTION AND MOTION to Compel Discovery filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 02/23/2012)
02/21/2012	<u>139</u>	AFFIDAVIT IN SUPPORT OF MOTION TO COMPEL <u>138</u> filed by Plaintiff Maurice Pierre Olivier. (mp) (mp). (Entered: 02/23/2012)
02/23/2012	<u>140</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: denying <u>134</u> Motion to Waive; denying <u>136</u> Motion for Order. On February 15, 2012, Plaintiff filed a request for the U.S. Marshal to serve subpoenas(Service Request), a request for judicial notice (Judicial Notice Request), and a request for waiver of witness fees and travel allowances (Witness Fees Request). The Service Request (Dkt. No. 136) is DENIED without prejudice as premature. The Judicial Notice Request (Dkt. No. 135) is DENIED. The Witness Fees Request (Dkt. No. 134) is DENIED without prejudice as premature. (See Order for details) (mp) (Entered: 02/23/2012)
02/23/2012	<u>141</u>	***** STRICKEN PER NOTICE OF CLERICAL ERROR DATED 2/24/2012 ***** MINUTES OF MOTION HEARING RE PLAINTIFFS' MOTION FOR HEARING APPLICATION AND HEARING FOR RIGHT TO ATTACH ORDER AND ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT held before Magistrate Judge Alicia G. Rosenberg. The Court questions the parties and hears oral arguments. Supplemental evidence must be filed on or before March 2, 2012. The matter will be taken under submission on that date.Court Recorder: CS 2/23/2012. (mp) Modified on 2/24/2012 (mp). (Entered: 02/23/2012)
02/23/2012	<u>143</u>	***** STRICKEN PER NOTICE OF CLERICAL ERROR DATED 2/24/2012 ***** MINUTES OF Motion Hearing held before Magistrate Judge Alicia G. Rosenberg. MOTION FOR HEARING APPLICATION AND HEARING FOR RIGHT TO ATTACH ORDER AND ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT. Case is called. Counsel state their appearances. Matthew T. Bechtel, Esq. appears on behalf of Plaintiffs. Van Allyn Goodwin, Esq. appears telephonically on behalf of Defendant. The Court questions the parties and hears oral arguments. Supplemental evidence must be filed on or before March 2, 2012. The matter will be taken under submission on that date.Court Recorder: CS 2/23/2012. (mp) Modified on 2/24/2012 (mp). (Entered: 02/24/2012)
02/23/2012	<u>146</u>	MOTION REQUESTING HOUSING IN FEDERAL METROPOLITAN DETENTION CENTER PURSUANT TO 18 U.S.C. SECTION 5003 & 18 U.S.C. SECTION 4042 filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 02/27/2012)
02/24/2012	<u>142</u>	NOTICE OF CLERICAL ERROR. Due to clerical error Document No. 141 is stricken. The Minute Order was processed in the wrong case. <u>141</u> (mp) (Entered: 02/24/2012)
02/24/2012	<u>144</u>	MINUTE ORDER IN CHAMBERS by Magistrate Judge Alicia G. Rosenberg re: MOTION to Compel Discovery <u>138</u> . On February 21, 2012, Plaintiff filed a motion to compel. Defendant is ORDERED to file a response to the motion to compel on or before March 9, 2012. If Plaintiff wishes to file a reply, he must do so within 14 days of the date of service of Defendant's opposition. (mp) (Entered: 02/24/2012)
02/24/2012	<u>145</u>	NOTICE OF CLERICAL ERROR. Due to clerical error Document No. 143 is stricken. The Minute Order was processed in the wrong case. <u>143</u> (mp) (Entered: 02/24/2012)
02/24/2012	<u>147</u>	MOTION REQUESTING CLERK OF COURT SERVE SUBPOENA PURSUANT TO FED.R.P.RULES 5, 11, & 45(c)92)(A) filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 02/27/2012)
02/28/2012	<u>148</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: denying <u>146</u> Motion for Order. PLAINTIFF'S HOUSING REQUEST. On February 23, 2012, Plaintiff filed a motion requesting that he be housed at the Metropolitan Detention Center instead of the Los Angeles County Jail during his "up coming Civil Trial." Plaintiff's request (Dkt. No. 146) is DENIED without prejudice. No trial date has been set in this matter. (mp) (Entered: 02/28/2012)
02/29/2012	<u>149</u>	MINUTE ORDER IN CHAMBERS by Magistrate Judge Alicia G. Rosenberg: re: MOTION for Order <u>147</u> . PLAINTIFF'S MOTION TO COMPEL. On February 24, 2012, Plaintiff filed a document entitled "Motion Requesting Clerk of Court Serve Subpoena Pursuant to Fed. R. P. Rules 5. 11. & 45(c)(2)(A)" ("Motion to

		Compel"), which the court construes as a motion to compel. The Custodian is ORDERED to file a response to the Motion to Compel on or before March 16, 2012. (mp) (Entered: 02/29/2012)
03/01/2012	<u>150</u>	MOTION REQUESTING ORDER TO COMPLY PURSUANT TO FED.R.CIV.P. RULE 45(e) filed by Plaintiff Maurice Pierre Olivier. (san) (Entered: 03/02/2012)
03/01/2012	<u>155</u>	Plaintiff's Response to Objections Received on 02/23/12 filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 03/12/2012)
03/05/2012	<u>151</u>	**** STRICKEN PER NOTICE OF CLERICAL ERROR DATED 4/27/2012 AND RE-DOCKETED AS A RESPONSE TO DKT. NO. 149. REFER TO DKT NO. 165 ***** OPPOSITION Re:MOTION to Compel Discovery filed by Defendant Gloria Molina. <u>138</u> (gr) Modified on 4/27/2012 (mp). (Entered: 03/08/2012)
03/05/2012	<u>165</u>	RESPONSE to Minutes of In Chambers Order/Directive – no proceeding held, <u>149</u> filed by Yagman & Reichmann. (mp) (Entered: 04/27/2012)
03/06/2012	<u>153</u>	MINUTE ORDER IN CHAMBERS by Magistrate Judge Alicia G. Rosenbergre: MOTION to Produce documents pursuant to FRCP 45(a)(3) <u>150</u> . PLAINTIFF'S MOTION TO COMPEL. On March 1, 2012, Plaintiff filed a document entitled "Motion Requesting Order to Comply Pursuant to Fed.R.Civ.P. Rule 45[e]" (Motion to Compel), which the court construes as a motion to compel. According to Plaintiff, he served by mail a subpoena for production of documents on January 29, 2012, on the Los Angeles County Board of Supervisors to produce documents described in an attached affidavit. The Office of the County Counsel is ORDERED to file a response to the Motion to Compel on or before March 22, 2012. (mp) (Entered: 03/08/2012)
03/08/2012	<u>152</u>	Opposition re: MOTION to Compel Discovery MOTION for Discovery <u>138</u> filed by Defendant LeRoy Baca. (Lee, Daniel) (Entered: 03/08/2012)
03/09/2012	<u>154</u>	MINUTE ORDER IN CHAMBERS by Magistrate Judge Alicia G. Rosenberg. YAGMAN & REICHMANN'S RESPONSE TO COURT ORDER. Pursuant to 28 U.S.C. § 1915(d), the United States Marshal is ORDERED to serve the attached subpoena and a copy of this minute order on Yagman & Reichman. The return date on the subpoena is MODIFIED to be two weeks after the date of service of the subpoena. (See Order for details.) (Attachments: # <u>1</u> Subpoena) (mp) (Entered: 03/09/2012)
03/12/2012	<u>156</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: denying <u>155</u> Request for Order. On March 1, 2012, Plaintiff filed a document entitled "Plaintiff's response to Objections Received on 02/12/12" (Request). Plaintiff's request (Dkt. No. 155) is DENIED without prejudice. Discovery is served on the parties, not filed with the court. There is nothing currently before the court for it to disregard. (mp) (Entered: 03/12/2012)
03/22/2012	<u>157</u>	OPPOSITION to re: MOTION to Produce documents pursuant to FRCP 45(a)(3) <u>150</u> filed by Defendant LeRoy Baca. (Lee, Daniel) (Entered: 03/22/2012)
03/22/2012	<u>158</u>	SUBPOENA IN A CIVIL CASE issued to Law Firm of Yagman and Reichman was served upon Receptionist on 3/13/2012 by personal service service. RE: Subpoena (AO 88) Issued <u>154</u> . (gr) (Entered: 03/23/2012)
03/28/2012	<u>159</u>	NOTICE OF MOTION AND MOTION to Compel Plaintiff's Further Responses to First Set and Second Set of Written Discovery filed by Defendant LeRoy Baca. Motion set for hearing on 5/1/2012 at 10:00 AM before Magistrate Judge Alicia G. Rosenberg. (Attachments: # <u>1</u> Proposed Order)(Lee, Daniel) (Entered: 03/28/2012)
03/29/2012	<u>160</u>	MINUTE ORDER IN CHAMBERS by Magistrate Judge Alicia G. Rosenberg re: MOTION to Compel Plaintiff's Further Responses to First Set and Second Set of Written Discovery <u>159</u> . On March 28, 2012, Defendant filed a motion to compel. Plaintiff is ORDERED to file a response to the motion to compel on or before April 30, 2012. If Defendant wishes to file a reply, he must do so within 14 days of the date of service of Plaintiff's opposition. The hearing set for May 1, 2012 is VACATED. (mp) (Entered: 03/29/2012)
03/30/2012	<u>161</u>	RESPONSE from the Law Offices of Yagman & Reichmann to Minutes of In Chambers Order/Directive – no proceeding held, <u>154</u> . (mp) (Entered: 04/02/2012)

04/02/2012	<u>162</u>	Correspondence from the Law Offices of Yagman & Reichman to Minutes of In Chambers Order/Directive – no proceeding held, <u>154</u> . (mp) (Entered: 04/05/2012)
04/12/2012	<u>163</u>	MINUTES (IN CHAMBERS) ORDER: PLAINTIFF'S MOTION TO COMPEL by Magistrate Judge Alicia G. Rosenberg. On February 24, 2012, Plaintiff filed a document that the court construed as a motion to compel the law firm Yagman & Reichmann to produce documents. Because the Marshal did not serve Yagman & Reichmann until March 20, 2012 (the return date was April 3, 2012), Plaintiff's motion to compel (Dkt. No. 147) is premature and is DENIED without prejudice. <u>147</u> [SEE ORDER FOR DETAILS] (gr) (Entered: 04/12/2012)
04/27/2012	<u>164</u>	NOTICE OF CLERICAL ERROR Re: Objection/Opposition (Motion related) <u>151</u> . Due to clerical error Dkt. No. 151 was incorrectly linked to Dkt. No. 138. Dkt. No. 151 is not an opposition to motion to compel it is a response to the minute order dated February 29, 2012, Dkt. No. 149. Dkt. No. 151 is stricken and re-docketed as a response to minute order dated February 29, 2012, Dkt. No. 149 by Yagman & Reichmann. (mp) (Entered: 04/27/2012)
04/30/2012	<u>166</u>	NOTICE OF MOTION AND MOTION for Summary Judgment as to Corrected Second Amended Complaint filed by Defendant LeRoy Baca. (Attachments: # <u>1</u> Separate Statement, # <u>2</u> Proposed Order)(Lee, Daniel) (Entered: 04/30/2012)
04/30/2012	<u>167</u>	DECLARATION of Christina Shilinga, Adam Kennedy and Daniel Lee in support of MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> and Exhibits A–J filed by Defendant LeRoy Baca. (Lee, Daniel) (Entered: 04/30/2012)
04/30/2012	<u>168</u>	PLAINTIFF'S OPPOSITION to Defendant's MOTION to Compel & Memorandum Of Points & authorities filed by Plaintiff Maurice Pierre Olivier. <u>159</u> (gr) (Entered: 05/01/2012)
04/30/2012	<u>169</u>	MOTION REQUESTING COURT Required Documents filed by plaintiff Maurice Pierre Olivier. (gr) (Entered: 05/01/2012)
05/02/2012	<u>170</u>	ORDER RE DEFENDANT'S MOTION FOR SUMMARY JUDGMENT and NOTICE TO PLAINTIFF OF THEREQUIREMENTS OF FEDERAL RULE 56 AND LOCAL RULE 56 by Magistrate Judge Alicia G. Rosenberg, re MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> . On April 30, 2012, defendants filed a Motion for Summary Judgment by which they seek to have your case dismissed. Plaintiff is ORDERED to file his opposition to defendants' summary judgment motion no later than June 14, 2012. Defendants are ORDERED to serve and file a reply no later July 16, 2012. The Court will take the motion under submission without oral argument as of the date defendants' reply is due. (See Order for details.) (Attachments: # <u>1</u> Central District Local Rule 56, # <u>2</u> Federal Rules of Civil Procedure, Rule 56) (mp) (Entered: 05/02/2012)
05/10/2012	<u>171</u>	REPLY in support of MOTION to Compel Plaintiff's Further Responses to First Set and Second Set of Written Discovery <u>159</u> filed by Defendant LeRoy Baca. (Attachments: # <u>1</u> Exhibits A–C)(Beach, Paul) (Entered: 05/10/2012)
05/31/2012	<u>172</u>	OBJECTIONS to Declaration of LASD Christina Shilinga (Motion related) <u>167</u> and Memorandum of Points and Authorities in Support thereof filed by Plaintiff Maurice Pierre Olivier. (lmh) (Entered: 06/04/2012)
05/31/2012	<u>173</u>	MEMORANDUM in Opposition to MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> filed by Plaintiff Maurice Pierre Olivier. (lmh) (Entered: 06/04/2012)
05/31/2012	<u>174</u>	REQUEST FOR JUDICIAL NOTICE filed by Plaintiff Maurice Pierre Olivier. (lmh) (Entered: 06/04/2012)
05/31/2012	<u>175</u>	SUBMISSION OF STATEMENT of Genuine Issues Pursuant to Rule 56–2 filed by Plaintiff Maurice Pierre Olivier. (lmh) (Entered: 06/04/2012)
05/31/2012	<u>176</u>	EVIDENCE EXHIBITS filed by Plaintiff Maurice Pierre Olivier. (Attachments: # <u>1</u> Exhibits Part 2)(lmh) (Entered: 06/04/2012)

05/31/2012	<u>177</u>	RESPONSE in Opposition to Statement of Uncontroverted Facts & Conclusion of Law <u>166</u> filed by Plaintiff Maurice Pierre Olivier. (lmh) (Entered: 06/04/2012)
06/29/2012	<u>178</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: denying <u>169</u> Motion for Order. PLAINTIFFS REQUEST. On September 14, 2010, Plaintiff filed a corrected second amended complaint. On April 30, 2012, Plaintiff filed a motion requesting "the forms needed to file a 'related case statement' in this District Court." (Motion at 1.) Local Rule 83-1.3.1 requires that a Notice of Related Cases be filed at the time a civil complaint is filed if any previous or current action in the Central District appears to relate in the ways described in subdivisions (a)-(d). However, there is no standard form. Accordingly, Plaintiff's motion (Dkt. No. 169) is DENIED. (mp) (Entered: 06/29/2012)
06/29/2012	<u>179</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: granting in part and denying in part <u>159</u> Motion to Compel. IT IS HEREBY ORDERED that Defendant's motion to compel (Dkt. No. 159) is GRANTED in part and DENIED in part as follows: 1. On or before July 31, 2012, Plaintiff shall provide further responses to Document Request No. 10, Set Two. 2. On or before July 31, 2012, Plaintiff shall provide further responses to Interrogatory No. 9; 3. On or before July 31, 2012, Plaintiff shall provide further responses to Request for Admissions, Set Two, Nos. 5-6. 4. In all other respects, Defendant's motion to compel is DENIED. Defendant's request for sanctions is DENIED. (See Order for details.) (mp) (Entered: 06/29/2012)
07/02/2012	<u>180</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: granting in part and denying in part <u>138</u> Motion to Compel; granting in part and denying in part <u>138</u> Motion for Discovery; granting in part and denying in part <u>150</u> Motion to Produce. PLAINTIFF'S MOTIONS TO COMPEL. IT IS HEREBY ORDERED that Plaintiff's February Motion (Dkt. No. 138) is GRANTED IN PART as follows: 1. The inmate information request is GRANTED. Defendant is ORDERED to produce a list of the names and booking numbers of all inmates housed in the same module as Plaintiff during the period from September 1 through September 10, 2006. Defendant shall produce the list within 21 days of the date this order is entered. 2. In all other respects, the February Motion is denied. IT IS FURTHER ORDERED that Plaintiff's March Motion (Dkt. No. 150) is GRANTED IN PART as follows: 3. Within 21 days after the date of this order, Defendant shall comply with one of the following two options: Option 1: Defendant shall file and serve a list of each set of discovery responses he served on Yagman & Reichmann during the Thomas litigation, and a supplemental brief setting forth, as to each set of discovery responses, his objections to production in this case. The list shall, at a minimum, contain (1) the date of service, (2) the title of the discovery response served, and (3) to the extent the title is not self-explanatory, a description of the discovery sufficient to identify its contents. For document requests, Defendant must attach the document request responses and corresponding requests. Option 2: Defendant shall produce the nonprivileged discovery responses he served on Yagman & Reichmann during the Thomas litigation, and file a Notice with the court indicating compliance with the request. 4. In all other respects, Plaintiff's March Motion is denied. IT IS FURTHER ORDERED that Defendant's requests for sanctions are DENIED. (See Order for details.) (mp) (Entered: 07/02/2012)
07/12/2012	<u>181</u>	OBJECTIONS to Order on Motion to Compel, Order on Motion for Discovery, Order on Motion to Produce <u>180</u> filed by Plaintiff Maurice Pierre Olivier. (lmh) (Entered: 07/16/2012)
07/13/2012	<u>182</u>	NOTICE OF MOTION PURSUANT TO FED. R. CIV. P. RULE 7[b] <u>1</u> filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 07/16/2012)
07/13/2012	<u>183</u>	MOTION REQUESTING ORDER FOR COPY OF LOCAL RULE 83-1.3.1 filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 07/16/2012)
07/16/2012	<u>184</u>	MINUTE ORDER IN CHAMBERS by Magistrate Judge Alicia G. Rosenberg re: MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> . DEFENDANT'S SUMMARY JUDGMENT MOTION- SUPPLEMENTAL BRIEFING. Based on the additional ordered discovery, the parties may file one supplemental brief each regarding the summary judgment motion on or before August 14, 2012. (mp) (Entered: 07/16/2012)

07/16/2012	<u>185</u>	REPLY to Plaintiff's Opposition re MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> filed by Defendant LeRoy Baca. (Zuiderweg, Alexandra) (Entered: 07/16/2012)
07/16/2012	<u>186</u>	REPLY to Plaintiff's Seperate Statement of Genuine Issues re MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> filed by Defendant LeRoy Baca. (Zuiderweg, Alexandra) (Entered: 07/16/2012)
07/16/2012	<u>187</u>	REQUEST FOR JUDICIAL NOTICE re MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> filed by Defendant LeRoy Baca. (Attachments: # <u>1</u> Exhibit "A" Nos. 4-44, # <u>2</u> Exhibit "A" Nos. 45-74)(Zuiderweg, Alexandra) (Entered: 07/16/2012)
07/16/2012	<u>188</u>	OBJECTIONS TO PLAINTIFF'S EVIDENCE re: MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> filed by Defendant LeRoy Baca. (Zuiderweg, Alexandra) (Entered: 07/16/2012)
07/17/2012	<u>189</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Alicia G. Rosenberg: denying <u>183</u> Motion for Order. On July 6, 2012, the court received a request from Plaintiff for a copy of L.R. 83-1.3.1. On July 13, 2012, the Clerk mailed Plaintiff a copy of the rule. On July 13, 2012, Plaintiff filed a motion requesting a copy of the same rule. Plaintiff's motion (Dkt. No. 182) is DENIED as moot. (mp) (Entered: 07/17/2012)
07/19/2012	<u>190</u>	MINUTE ORDER IN CHAMBERS by Judge John F. Walter. The Court has reviewed the plaintiff's objections to the Magistrate Judge's Order filed on July 2, 2012 <u>180</u> . The Court concludes that the Magistrate Judge's Order is not clearly erroneous or contrary to the law and overrules the plaintiff's objections. (kbr) (Entered: 07/19/2012)
07/23/2012	<u>191</u>	NOTICE OF COMPLIANCE WITH THE COURT'S JULY 2, 2012 ORDER filed by Defendant LeRoy Baca. (Lee, Daniel) (Entered: 07/23/2012)
08/14/2012	<u>192</u>	SUPPLEMENT to MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> [Pursuant to Court's July 16, 2012 Order] filed by Defendant LeRoy Baca. (Lee, Daniel) (Entered: 08/14/2012)
10/19/2012	<u>193</u>	NOTICE of Change of address Filed by Plaintiff Maurice Pierre Olivier. (lmh) (Entered: 10/22/2012)
11/21/2012	<u>194</u>	REQUESTING Court acknowledge receipt of Address Change filed by Plaintiff Maurice Pierre Olivier. (lmh) (Entered: 11/26/2012)
11/27/2012	<u>195</u>	REPORT AND RECOMMENDATION issued by Magistrate Judge Alicia G. Rosenberg Re MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> . The court submits this Report and Recommendation to the Honorable John F. Walter, United States District Judge, pursuant to 28 U.S.C. § 636 and General Order No. 05-07 of the United States District Court for the Central District of California. For the reasons set forth below, the magistrate judge recommends that Defendant's motion for summary judgment be granted in part and denied in part. (See Order for details.) (mp) (Entered: 11/27/2012)
11/27/2012	<u>196</u>	NOTICE OF FILING REPORT AND RECOMMENDATION by Magistrate Judge Alicia G. Rosenberg. Objections to R&R due by 12/20/2012. A party may respond to another party's Objections within 14 days after being served with a copy of the Objections. (Attachments: # <u>1</u> Report and Recommendation) (mp) (Entered: 11/27/2012)
12/14/2012	<u>197</u>	OBJECTION to Report and Recommendation (Issued) <u>195</u> filed by Plaintiff Maurice Pierre Olivier. (lmh) (Entered: 12/18/2012)
12/20/2012	<u>198</u>	OBJECTION to Report and Recommendation (Issued), Report and Recommendation (Issued), Report and Recommendation (Issued) <u>195</u> filed by Defendant LeRoy Baca.(Lee, Daniel) (Entered: 12/20/2012)
12/26/2012	<u>199</u>	REPLY TO OBJECTION to Report and Recommendation (Issued), Report and Recommendation (Issued), Report and Recommendation (Issued) <u>195</u> filed by Defendant LeRoy Baca.(Lee, Daniel) (Entered: 12/26/2012)

01/22/2013	<u>200</u>	MINUTE IN CHAMBERS ORDER RE REPORT AND RECOMMENDATION by Judge John F. Walter: The Court declines to accept the R & R and returns this action to the Magistrate Judge for further consideration after receiving supplemental briefing on the lock down issue from Plaintiff Maurice Pierre Olivier and Defendant Leroy Baca in accordance with the briefing schedule to be set forth by the Magistrate Judge. (jp) (Entered: 01/22/2013)
01/23/2013	<u>201</u>	MINUTE ORDER IN CHAMBERS by Magistrate Judge Alicia G. Rosenberg: re: Minutes of In Chambers Order/Directive – no proceeding held, <u>200</u> . SUPPLEMENTAL BRIEFING. Accordingly, this court sets the following supplemental briefing schedule. The parties may also address Plaintiff's processing and housing during the period July 12–17, 2006, and how any lockdown affected it. 1. Defendant's supplemental papers shall be filed on or before February 15, 2013. 2. Plaintiff's supplemental papers shall be filed on or before March 8, 2013. 3. Unless otherwise ordered, this court will take the matter under submission without oral argument as of the date the last brief is due. (mp) (Entered: 01/23/2013)
02/15/2013	<u>202</u>	SUPPLEMENT to MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> filed by Defendant LeRoy Baca. (Lee, Daniel) (Entered: 02/15/2013)
03/07/2013	<u>203</u>	SUPPLEMENT BRIEF in Opposition filed by Plaintiff Maurice Pierre Olivier. (lmh) (Entered: 03/12/2013)
06/21/2013	<u>204</u>	AMENDED REPORT AND RECOMMENDATION issued by Magistrate Judge Alicia G. Rosenberg Re MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> . The court submits this Amended Report and Recommendation to the Honorable John F. Walter, United States District Judge, pursuant to 28 U.S.C. §636 and General Order No. 05–07 of the United States District Court for the Central District of California. For the reasons set forth below, the magistrate judge recommends that Defendant's motion for summary judgment be granted. (See Order for details.) (mp) (Entered: 06/21/2013)
06/21/2013	<u>205</u>	NOTICE OF FILING REPORT AND RECOMMENDATION by Magistrate Judge Alicia G. Rosenberg. Objections to R&R due by 7/15/2013. A party may respond to another party's Objections within 14 days after being served with a copy of the Objections. (Attachments: # <u>1</u> Report and Recommendation) (mp) (Entered: 06/21/2013)
07/03/2013	<u>206</u>	NOTICE OF MOTION PURSUANT TO FED. R. CIV. P. RULE 7(b)(1) filed by Plaintiff Maurice Pierre Olivier. (mp) (Entered: 07/05/2013)
07/03/2013	<u>207</u>	PLAINTIFF'S OBJECTION TO THE MAGISTRATE'S AMENDED PROPOSED FINDINGS & RECOMMENDATIONS PURSUANT TO FED.R.CIV.P. RULE 72(b)(2) to Report and Recommendation (Issued),, <u>204</u> filed by Plaintiff Maurice Pierre Olivier.(mp) (Entered: 07/05/2013)
07/10/2013	<u>208</u>	RESPONSE IN SUPPORT of MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> AND <i>RESPONSE TO PLAINTIFF'S OBJECTIONS TO MAGISTRATE JUDGE'S AMENDED REPORT AND RECOMMENDATION</i> filed by Defendant LeRoy Baca. (Zuiderweg, Alexandra) (Entered: 07/10/2013)
07/18/2013	<u>209</u>	ORDER ACCEPTING REPORT AND RECOMMENDATIONS by Judge John F. Walter, IT IS ORDERED that Judgment be entered granting Defendant's motion for summary judgment and dismissing this action with prejudice. Report and Recommendation (Issued) <u>204</u> (lmh) (Entered: 07/19/2013)
07/18/2013	<u>210</u>	JUDGMENT by Judge John F. Walter, IT IS ADJUDGED that Defendant's motion for summary judgment is granted and Judgment is entered in favor of Defendant. Related to: MOTION for Summary Judgment as to Corrected Second Amended Complaint <u>166</u> , Amended Complaint, <u>89</u> , Report and Recommendation (Issued),, <u>204</u> (MD JS–6, Case Terminated). (lmh) (Entered: 07/19/2013)
07/24/2013	<u>211</u>	APPLICATION to the Clerk to Tax Costs against Defendant LeRoy Baca filed by Defendant LeRoy Baca. Application set for hearing on 8/9/2013 at 10:00 AM before Judge John F. Walter. (Attachments: # <u>1</u> [Proposed] Bill of Costs)(Lee, Daniel) (Entered: 07/24/2013)

07/30/2013	<u>212</u>	BILL OF COSTS DEFICIENCY NOTICE RE: APPLICATION to the Clerk to Tax Costs against Defendant LeRoy Baca <u>211</u> . The following error(s) was found: L.R. 54-2.2: Hearing should be noticed before the clerks designee and not the judge. Counsel is to re-notice the corrected hearing information, L.R. 54-2.2: Scheduled for incorrect time of day. Counsel is to re-notice the corrected hearing information and Room number no longer required – location is telephonic hearing. Counsel is to re-notice with the correct hearing location. Please refer to the Courts website at www.cacd.uscourts.gov for local rules, forms, and Bill of Costs Handbook. (lmh) (Entered: 07/30/2013)
07/30/2013	<u>213</u>	APPLICATION to the Clerk to Tax Costs against Plaintiff Maurice Pierre Olivier filed by Defendant LeRoy Baca. Application set for hearing on 8/16/2013 at 10:00 AM before Clerk of Court. (Attachments: # <u>1</u> Notice of Application to Clerk to Tax Costs; Itemized Bill of Cost sheet and Exhibits)(Lee, Daniel) (Entered: 07/30/2013)
08/01/2013	<u>214</u>	NOTICE OF APPEAL to the 9th CCA filed by plaintiff Maurice Pierre Olivier. Appeal of Judgment, <u>210</u> Filed On: 7/18/13; Entered On: 7/19/13; Forma Pauperis Pending. cc: Maurice Pierre Olivier. (car) (Entered: 08/06/2013)
08/01/2013	<u>215</u>	Notice Pursuant to Fed.R.Civ.P. Rule 7(b)(1) re: Notice of Appeal to 9th Circuit Court of Appeals <u>214</u> (car) (Entered: 08/06/2013)
08/01/2013	<u>216</u>	MOTION for Leave to Proceed on Appeal In Forma Pauperis Pursuant to 28 U.S.C. 1915(a), filed by plaintiff Maurice Pierre Olivier. (car) (Entered: 08/06/2013)
08/07/2013	<u>217</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 13-56371, 9th CCA regarding Notice of Appeal to 9th Circuit Court of Appeals <u>214</u> as to Plaintiff Maurice Pierre Olivier. (mat) (Entered: 08/08/2013)
08/27/2013	<u>218</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>214</u> filed by Maurice Pierre Olivier CCA # 13-56371. Appellant Maurice P. Olivier, prison identification number F-83603, has been granted leave to proceed in forma pauperis in this appeal and has completed and filed the required authorization form directing the appropriate prison officials to assess, collect, and forward to the district court the filing and docketing fees for this appeal. See the order for all of the details. Order received in this district on 8/27/2013. (dmap) (Entered: 08/27/2013)
09/12/2013	<u>219</u>	BILL OF COSTS. Costs Taxed in amount of \$ 2109.00 in favor of Defendant and against Plaintiff. RE: <u>213</u> (mb) (Entered: 09/13/2013)
08/18/2016	<u>220</u>	ORDER from Ninth Circuit Court of Appeals filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>214</u> filed by Maurice Pierre Olivier. CCA # 13-56371. The (9th CCA) Clerk shall enter an order appointing pro bono counsel to represent appellant for purposes of this appeal only. If appellant objects to the court's appointment of counsel in this appeal, appellant shall file a written objection within 14 days after the date of this order. [See document for all details] (mat) (Entered: 08/19/2016)
01/04/2017	<u>221</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Paul B Beach counsel for Defendant LeRoy Baca. Daniel Lee is no longer counsel of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Defendant Leroy D. Baca. (Beach, Paul) (Entered: 01/04/2017)