



JI-WA-002-016

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AT SEATTLE COURT  
CLERK U.S. DISTRICT COURT  
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THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JAMES HORTON, et al.,	)	
	)	
Plaintiffs,	)	NO. C94-5428 RJB
	)	
vs.	)	JOINT STATUS REPORT
	)	
BOB WILLIAMS, et al.,	)	
	)	
Defendants.	)	
	)	

The parties hereby file the following Joint Status Report in compliance with the Court's Minute Order dated August 17, 1994.

1. The Nature of the Case

This is a civil rights class action challenging a number of physical plant conditions and a variety of practices at Green Hill School (GHS) located in Chehalis, Washington. Plaintiffs are juveniles confined at GHS and defendants include officials in charge of the administration of that facility (State defendants) and the Chehalis School District. Plaintiffs assert claims related to the lack of adequate treatment and education services, defendants' disciplinary

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(206) 464-0838

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1 practices, the lack of interpreters for non-English speaking residents, and the physical plant  
2 conditions at GHS.

3  
4 2. The Status of the Case

5 The case has been certified as a class action by Order entered September 29, 1994. The  
6 State defendants' Motion to Dismiss is pending. Plaintiffs' Motion for a Preliminary Injunction  
7 regarding the use of aerosol oleoresin capsicum (pepper spray) is also pending.

8 Plaintiffs have conducted a few depositions and received responses to one production of  
9 document request relating to their pepper spray claim. All parties expect to conduct extensive  
10 discovery. The State defendants expect to file a motion for Summary Judgment.

11  
12 3. Special Master

13 A special master may be appropriate for enforcement purposes if relief is granted to the  
14 plaintiffs.

15 4. Mediation

16 Mediation is not appropriate under Local Rule 39.1 at this stage. After resolution of  
17 preliminary motions, mediation may be appropriate.

18  
19 5. Full-Time Magistrate Judge

20 Not all parties agree that a full-time Magistrate Judge may conduct all proceedings under  
21 Local Rule MJR 13.

22 6. Trial Date

23 Due to the many claims brought by the plaintiffs, and anticipated discovery, this case is  
24 not likely to be ready for trial until late 1995 or early 1996.

25  
26 7. Trial by Jury or Non-jury

27 A non-jury trial would be conducted.

28  
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8. Number of Trial Days

The number of trial days is unknown at this time.

9. Names of Trial Counsel

For the plaintiffs:  
Patricia J. Arthur  
David Lambert  
Robert A. Stalker, Jr.

For the State defendants:  
Richard McCartan  
Carol Murphy

For the Chehalis School District:  
Brian Baker


10. Scheduling Conflicts:

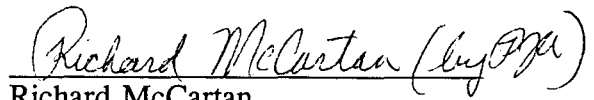
There are no dates in 1996 which present a complication for scheduling this trial.


11. Suggestion for Shortening Trial:

The parties have no suggestions at this time given the uncertainty of the length of trial and issues to be heard at trial.

Respectfully submitted this 31<sup>st</sup> day of October, 1994.

  
Patricia J. Arthur  
Of Counsel for the Plaintiffs

  
Richard McCartan  
Carol Murphy  
Of Counsel for State Defendants  
(Telephonic Approval for Signature Given)

  
Brian Baker  
For the Chehalis School District  
(Telephonic Approval for Signature Given)