

(Ex),CLOSED,DISCOVERY

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:06-cv-02667-GPS-E**

United States of America v. State of California et al  
Assigned to: Judge George P. Schiavelli  
Referred to: Magistrate Judge Charles F. Eick  
Case in other court: 9th CCA, 11-57098  
Cause: 42:12101 Americans With Disabilities Act

Date Filed: 05/02/2006  
Date Terminated: 01/17/2008  
Jury Demand: None  
Nature of Suit: 446 Civil Rights:  
Americans with Disabilities – Other  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**United States of America**

represented by **Benjamin O Tayloe**  
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V.

**Movant**

**Vadim Stanley Miesegaes**  
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AT 010-0527333 U-29  
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**Movant**

**Juan Daniel Chavez**  
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059308-7  
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**Movant**

**George Bell**  
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represented by **George Bell**  
061467-8  
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**Movant**

**George Eden**  
*TERMINATED: 10/31/2011*

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4668848  
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**Movant**

**Damon Matheny**  
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060693-4  
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PRO SE

**Movant**

**Eddie Cassidy**  
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**Movant**

**Orrin A Patrick**  
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056233-6  
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**Movant**

**Harold Hines**  
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**Movant**

**Juan Gutierrez**  
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**Movant**

**Paul Thurman**  
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061447-9  
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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

**Richard Cortez**  
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**Movant**

**Daniel Tigner**  
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**Movant**

**Michael Hamilton**  
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**Movant**

**Larry Struchen**  
061034-5  
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**Movant**

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**Movant**

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**Movant**

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**Ernest Aguire**  
*TERMINATED: 10/31/2011*

**Ernest Aguire**  
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**Movant**

**Jose Avalos**  
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**Movant**

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**Movant**

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**Movant**

**Michael McGee**  
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**Movant**

**Samuel Turner**  
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**Movant**

**Sean Greenshields**  
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**Movant**

**Warren Lanker**  
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**Movant**

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**Movant**

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**Movant**

**Neil Core**  
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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**William Curtis**  
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**Movant**

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**Movant**

**Ali Jones**  
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**Movant**

**Brooks Robert**  
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**Movant**

**Gary Dingest**  
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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

**Jason Athiede**  
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**Movant**

**Billy W Soto**  
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**Movant**

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**Movant**

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*TERMINATED: 10/31/2011*

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CSH ID 2168-3  
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**Movant**

**Tom L Ward**  
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050679-0  
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**Movant**

**Jimmy Martinez**  
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**Movant**

**Robert Castorena**  
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represented by **Robert Castorena**  
049077-1  
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**Movant**

**Joseph M Cortes**  
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**Movant**

**Marc Anthony Endsley**  
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**Movant**

**Scott Zimmerman**  
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PRO SE

**Movant**

represented by

**Hugo Edilberto**  
*TERMINATED: 10/31/2011*

**Hugo Edilberto**  
058845-9  
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**Movant**

**Lloyd Clark**  
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PRO SE

**Movant**

**Chris L**  
*TERMINATED: 10/31/2011*

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05992-9  
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PRO SE

**Movant**

**Andrew Kyle**  
*TERMINATED: 10/31/2011*

represented by **Andrew Kyle**  
060453-8  
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**Movant**

**James Deby**  
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PRO SE

**Movant**

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**Movant**

**Ernesto Fuentes**  
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represented by **Ernesto Fuentes**  
054792-7  
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**Movant**

**Michael Beaver**  
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represented by **Michael Beaver**  
061536-9  
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**Movant**

**David Smith**  
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05986-3-1  
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**Movant**

**Ramon Holguin**  
*TERMINATED: 10/31/2011*

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58997-8  
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**Movant**

**Richard Soto**  
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**Movant**

**Curtis M**  
061359-6  
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*TERMINATED: 10/31/2011*

**Movant**

**Billy Thomas**  
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060764-4  
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**Movant**

**Ronnie Lucero**  
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PRO SE

**Movant**

**Artay Scruggs**  
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PRO SE

**Movant**

represented by

**Angel G**  
*TERMINATED: 10/31/2011*

**Angel G**  
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PRO SE

**Movant**

**Ricky Benson**  
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represented by **Ricky Benson**  
057263-6  
Atascadero State Hospital  
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PRO SE

**Movant**

**Frank Travalini**  
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051566-8  
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PRO SE

V.

**Petitioner**

**Mark S Sokolsky**

represented by **Mark S Sokolsky**  
CO-000459-8  
Coalinga State Hospital  
24511 West Jayne Avenue  
P O Box 5003  
Coalinga, CA 93210-5003  
559-934-0890  
PRO SE

V.

**Defendant**

**State of California**

represented by **George Dey Prince**  
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*ATTORNEY TO BE NOTICED*

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Fax: 619–645–2067  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Arnold Schwarzenegger**  
*Governor of the State of California of the  
State of California in his official capacity  
only*

represented by **George Dey Prince**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Tracey L Angelopoulos**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Stephen W Mayberg**  
*Director of the California Department of  
Mental Health in his official capacity*

represented by **George Dey Prince**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Janet E Burns**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jennifer M Kim**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Tracey L Angelopoulos**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Sharon Smith Nevins**  
*Executive Director of Metropolitan State  
Hospital in her official capacity only*

represented by **George Dey Prince**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Tracey L Angelopoulos**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dave Graziani**  
*Executive Director of Napa State  
Hospital in his official capacity only*

represented by **George Dey Prince**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Melvin E Hunter**  
*Executive Director of Atascadero State  
Hospital, in his official capacity only*

represented by **George Dey Prince**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Tracey L Angelopoulos**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Octavio Carlos Luna**  
*Executive Director of Patton State  
Hospital, in his official capacity only*

represented by **George Dey Prince**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Tracey L Angelopoulos**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Movant**

**C.L.**  
*TERMINATED: 10/31/2011*

represented by **C.L.**  
058992-9  
P.O. Box 7001  
Atascadero, CA 93423-7001  
PRO SE

Date Filed	#	Docket Text
05/02/2006	1	COMPLAINT against defendants Stephen W Mayberg, Sharon Smith Nevins, Dave Graziani, State of California, Arnold Schwarzenegger.(No Filing fee Required), filed by plaintiff United States of America.(pj, ) (Entered: 05/08/2006)
05/02/2006		20 DAY Summons Issued re Complaint – (Discovery) 1 as to Stephen W Mayberg, Sharon Smith Nevins, Dave Graziani, State of California, Arnold Schwarzenegger. (pj, ) (Entered: 05/08/2006)
05/02/2006	2	STIPULATION for Consent Judgment And Agreement filed by plaintiff United States of America. Lodged Consent Judgment. (bg, ) (Entered: 05/09/2006)
05/05/2006	4	NOTICE OF ERRATA regarding Consent Judgment 3 and Stipulation for Judgment 2 filed by Plaintiff United States of America. (ir, ) (Entered: 05/17/2006)
05/15/2006		PLACED IN FILE – NOT USED re Consent Judgment submitted by plaintiff United States of America. (bg, ) (Entered: 05/16/2006)
05/15/2006	3	CONSENT JUDGMENT by Judge George P. Schiavelli : The interdisciplinary teams membership shall be dictated by the particular needs and strengths of the individual in the teams care. All provisions of this Consent Judgment shall have ongoing effect until the final dismissal of this action. The Court shall retain jurisdiction for all purposes until such time as this action dismissed. Independent of the foregoing, if the United States and the Defendants agree that the State Hospitals have achieved substantial compliance with each section of this Consent Judgment, the Parties shall file a joint motion to dismiss this action. ( MD JS-6, Case Terminated )(bg, ) (Entered: 05/16/2006)
07/21/2006	8	NOTICE OF DISCREPANCY AND ORDER: by Judge George P. Schiavelli, ORDERING Request to Submit Pertinent Urgent Information received on 7/28/2006 is not to be filed but instead rejected. Denial based on: case termed.(yl, ) (Entered: 08/11/2006)
07/25/2006	5	NOTICE OF DISCREPANCY AND ORDER: by Judge George P. Schiavelli, ORDERING Request to submit pertinent and urgent information submitted by Danny Atterbury received on 7/20/06 is not to be filed but instead rejected. Denial based on: Local Rule 11-4.1 No copy provided for judge. Local Rule 56-1 Statement of uncontroverted facts and/or proposed judgment lacking. FRCP 5(d) No proof of



		service attached to document(s).(bg, ) (Entered: 07/27/2006)
08/03/2006	<u>6</u>	AMENDED COMPLAINT against defendants Melvin E Hunter, Octavio Carlos Luna, Stephen W Mayberg, Sharon Smith Nevins, Dave Graziani, State of California, Arnold Schwarzenegger amending Complaint – (Discovery) 1 (bg, ) (Entered: 08/07/2006)
08/03/2006	<u>7</u>	STIPULATION TO AMEND CONSENT JUDGMENT and Agreement filed by Plaintiff United States of America. Lodged Proposed Order. (yl, ) (Entered: 08/11/2006)
08/16/2006	<u>11</u>	ORDER AMENDING CONSENT JUDGMENT AND AGREEMENT by Judge George P. Schiavelli, re Consent Judgment, <u>3</u> ORDERED that the Consent Judgment and Agreement entered as an order of this Court on 5/15/06, is herewith amended such that the term State Hospital shall include Patton State Hospital and Atascadero State Hospital and any facility that supplements or replaces them, and that Defendants shall implement at Patton and Atascadero all provisions of the Consent Judgment and Agreement that apply to Metropolitan State Hospital and Napa State Hospital. (bg, ) (Entered: 02/28/2007)
11/21/2006	<u>10</u>	AMNEDED STIPULATION TO AMEND CONSENT JUDGMENT AND AGREEMENT AND ORDER by Judge George P. Schiavelli : the parties request that this court enter the attached Amended Consent Judgment, so that the Defendants shall implement at Patton and Atascadero all provisions of the original Consent Judgment and Agreement that apply to Metropolitan State Hospital and Napa State Hospital, and that the Monitor, and persons or entitles hired or retained by the Monitor, shall not be liable for any claim arising out of the Monitoring of this Consent Judgment, except claims before this Court for enforcement or payment of contracts or subcontracts for monitoring the Consent Judgment re Stipulation to Amend/Correct 7 .(bg, ) (Entered: 02/28/2007)
02/27/2007	<u>9</u>	AMENDED CONSENT JUDGMENT by Judge George P. Schiavelli that pursuant to the Stipulation, and good and reasonable cause appearing therefore, Judgment shall be entered in this matter pursuant to the following terms and conditions. Related to: Stipulation to Amend/Correct 7 , Consent Judgment,, <u>3</u> .(bg, ) (Entered: 02/28/2007)
04/18/2007	<u>13</u>	MAIL RETURNED addressed to Anita C Snyder at United States Department of Justice regarding Order <u>11</u> (ir, ) (Entered: 05/11/2007)
05/10/2007	<u>12</u>	MAIL RETURNED addressed to Anita C Snyder at United States Departmente of Justice regarding Stipulation and Order <u>10</u> (ir, ) (Entered: 05/11/2007)
12/12/2007	<u>15</u>	Petition for Writ of writ of mandamus to compel consent judgmentfiled by petitioner Mark S Sokolsky.(lc) (Entered: 01/16/2008)
01/14/2008	<u>14</u>	MINUTES OF IN CHAMBERS ORDER held before Judge George P. Schiavelli : In December 2007, Petitioner Mark S. Sokolsky (Petitioner orSokolsky) filed a Petition for Writ of Mandamus to compel Defendants to comply with the Amended Consent Judgment. Sokolsky is presently detained at the Coalinga State Hospital pursuant to an order by the Los Angeles County Superior Court. Petitioner alleges that the terms of the Amended Consent Judgment apply to the Coalinga State Hospital because it is a facility that supplements or replaces one of the four noted hospitals.To address the Petition, the Court orders the parties to brief: (1) whether the Amended Consent Judgment governs the Coalinga State Hospital; (2) whether Petitioner has standing to urge these claims and, if so, (3) whether he has done so through the proper vehicle. Respondents shall file their Opposition to the Petition by February 1, 2008. Petitioner shall reply onMarch 3, 2008. After receiving all pleadings, the Court will schedule ahearing if necessary. (lc) (Entered: 01/15/2008)
01/16/2008	<u>16</u>	NOTICE OF CLERICAL ERROR: Due to clerical error Re: Petition for Writ of writ of mandamus <u>15</u> with pro se address was not docketed after Minutes denying petition was docketed <u>14</u> ; copy of minutes attached to this notice. (Attachments: # <u>1</u> minutes) (lc) (Entered: 01/16/2008)
01/16/2008	<u>17</u>	CORRECTED NOTICE OF CLERICAL ERROR: Due to clerical error Re: Notice of Clerical Error (G-11), incorrectly stated that Mark Soloksy petition was denied; Petition is still pending, see copy of minutes <u>16</u> (Attachments: # <u>1</u> minutes) (lc) (Entered: 01/16/2008)

01/16/2008		NOTICE OF STATISTICAL ADJUSTMENT submitted MD JS-5 Case Reopened. (lc) (Entered: 01/16/2008)
01/17/2008		NOTICE OF STATISTICAL ADJUSTMENT(closed case reopened in error) submitted MD JS-6. Case Terminated. (lc) (Entered: 01/17/2008)
01/28/2008	<u>18</u>	REQUEST for Extension of Time to File State Respondent's to File Brief Responding to court's Inquiries filed by Respondent Department of Mental Health Stephen W Mayberg. (Attachments: # <u>1</u> Declaration of John Venegas in Support of State Respondent's to File Brief Responding to Court's Inquiries# <u>2</u> Proposed Order in support of State Respondent's to File Brief Responding to Court's Inquiries)(Kim, Jennifer) (Entered: 01/28/2008)
02/01/2008	<u>19</u>	BRIEF filed by Respondents State of California. <i>RESPONDENTS' BRIEF IN COMPLIANCE WITH THE COURT'S JANUARY 14, 2008 MINUTE ORDER</i> (Kim, Jennifer) (Entered: 02/01/2008)
02/01/2008	<u>20</u>	BRIEF filed by Petitioner United States of America. <i>Plaintiff's Brief in Response to Court's January 14, 2008 Order</i> regarding Minutes of In Chambers Order/Directive – no proceeding held,,, <u>14</u> . (Daniels, Howard) (Entered: 02/01/2008)
02/01/2008	<u>21</u>	MINUTES OF IN CHAMBERS ORDER held before Judge George P. Schiavelli : Order Granting Ex Parte Application. Respondents shall file their response by February 25, 2008, and Sokolsky shall reply by March 24, 2008. As noted in the previous Order, the Court will schedule a hearing if necessary after receiving all pleadings. (sce) (Entered: 02/04/2008)
03/14/2008	<u>25</u>	REPLY to plaintiffs and respondents answer to courts orderof 1/14/08 <u>20</u> filed by Petitioner Mark S Sokolsky (lc) (Entered: 03/18/2008)
08/19/2008	<u>26</u>	MINUTES OF IN CHAMBERS ORDER held before Judge George P. Schiavelli: Court Denies Petition for Writ of mandamus <u>15</u> . (lc) (Entered: 08/20/2008)
03/22/2011	<u>28</u>	NOTICE OF DISCREPANCY AND ORDER: by Judge Audrey B. Collins, ORDERING Plaintiffs' Request for intervention submitted by Movant Vadim Stanley Miesege, received on 3/21/11, is not to be filed but instead rejected. Denial based on: Case closed. (lom) Modified on 3/31/2011 (lom). (mailed original 3/31/11) (Entered: 03/31/2011)
06/21/2011	<u>31</u>	NOTICE OF MOTION AND MOTION for Exercise of Rights for Intervention filed by Movants Vadim Stanley Miesege and other Residents at Atascadero State Hospital. (ir) (Entered: 06/23/2011)
06/23/2011	<u>30</u>	NOTICE OF DOCUMENT DISCREPANCIES AND ORDER by Judge Audrey B. Collins ORDERING Motino for Exercise of Rights for Intervention submitted by Movant Vadim Stanley Miesege received on 6/21/11 to be filed and processed; filed date to be the date the document was stamped Received but not Filed with the Clerk. (ir) (Entered: 06/23/2011)
06/23/2011	<u>32</u>	MINUTE: ORDER RE: Motion for Exercise of Rights for Intervention <u>31</u> (In Chambers): On June 21, 2011, the Court received a Motion for Exercise of Rights for Intervention, submitted by a group of residents at Atascadero State Hospital (the Proposed Intervenors), which is subject to a consent decree in this case. The Court ORDERS that the document be filed. The Court ORDERS Defendants State of California, et al., to respond to the motion no later than Monday, July 11, 2011. The government may respond to the motion and/or defendants response no later than Monday, July 25, 2011. Proposed Intervenors may reply to these submissions no later than Monday, August 15, 2011 IT IS SO ORDERED by Judge Audrey B. Collins. (ir) (Entered: 06/23/2011)
07/08/2011	<u>35</u>	PROPOSED INTERVENOR'S MOTION FOR CORRECTION By Deputy Clerk In Re: Court's Order Of June 23, 2011 <u>32</u> filed by movants. (bm) (Entered: 07/15/2011)
07/13/2011	<u>33</u>	REQUEST for Extension of Time to File Response to Motion for Intervention filed by DEFENDANTS Stephen W Mayberg, State of California. (Attachments: # <u>1</u> Order granting Extension of Time to File Response to Motion for Intervention)(Burns, Janet) (Entered: 07/13/2011)

07/14/2011	<u>34</u>	ORDER GRANTING EXTENSION OF TIME To File Response to Motion for Intervention by Judge Audrey B. Collins: NOTE: CHANGES MADE BY THE COURT. The request for extension of time is GRANTED. Defendants State of California, et al., has until no later than Thursday, 7/28/2011 to respond to the motion. Plaintiff may respond to the motion and/or Defendants' response by no later than Thursday, 8/11/2011; and Proposed Intervenor may respond to these submissions by no later than Thursday, 8/25/2011. granting <u>33</u> Request for Extension of Time to File (lw) (Entered: 07/14/2011)
07/28/2011	<u>44</u>	RESPONSE in Opposition to re: MOTION to Intervene <u>31</u> filed by Defendants Stephen W Mayberg, State of California. (Burns, Janet) (Entered: 07/28/2011)
08/11/2011	<u>55</u>	OPPOSITION to MOTION to Intervene <u>31</u> filed by Plaintiff United States of America. (Daniels, Howard) (Entered: 08/11/2011)
08/25/2011	<u>56</u>	APPLICANTS' RESPONSE TO PLAINTIFFS' RESPONSE TO MOTION TO INTERVENE RE: MOTION to Intervene <u>31</u> filed by Movants Ernest Aguire, Victor Alvarez, Jose Ampriz, Arthur Arrellanes, Jason Athiede, Jose Avalos, Michael Beaver, George Bell, Ricky Benson, Wayne Bishop, Reginald Blaunt, John Carver, Donald Casnell, Eddie Cassidy, Eduardo Castanon, Robert Castorena, Juan Daniel Chavez, Lloyd Clark, Peter Cobb, Brian Colombein, Neil Core, Joseph M Cortes, Richard Cortez, William Curtis, Ron Cynman, James Deby, Ray Delong, Gary Dingest, Jerry Eates, George Eden, Hugo Edilberto, C Edwards, Marc Endsley, Lon Don Ferguson, Julio Flores, Ernesto Fuentes, Angel G, Nicandro Galaviz, Luis Garcia, Michael Garcia, Paul Gazaway, Sean Greenshields, Juan Gutierrez, David Guzman, Kennet H, Michael Hamilton, S Henderson, Harold Hines, Ramon Holguin, Brandon Howard, Ali Jones, Tod Koep, Andrew Kyle, Chris L, Warren Lanker, Michael Lanning, Keith Law, John Lowe, Ronnie Lucero, Curtis M, Jimmy Martinez, Damon Matheny, Michael McGee, Ron McLean, James McMann, Vadim Stanley Miesege, Orrin A Patrick, R Phillips, Terry Powell, Gary Ramirez, Brooks Robert, Artay Scruggs, Andy Sessions, Dan Sloria, David Smith, Billy W Soto, Richard Soto, Larry Struchen, Tim Taylor, Billy Thomas, Paul Thompson, Paul Thurman, Daniel Tigner, Frank Travalini, Daniel Trebas, Samuel Turner, Johnny Walker, Banner Walter, Tom L Ward, Kenfort Williams, Scott Zimmerman, Movant C.L.. (lw) (Entered: 08/29/2011)
10/28/2011	<u>57</u>	STIPULATION for Order Extending Court's Jurisdiction filed by Plaintiff United States of America. (Attachments: # <u>1</u> Proposed Order)(Jones, Terrence) (Entered: 10/28/2011)
10/31/2011	<u>58</u>	ORDER by Judge Audrey B. Collins. This Court, having read and considered the Parties' Stipulation to Extend Court's Jurisdiction, and findings good cause therfor, hereby orders that, absent any motion by either Party that is accepted by this Court, both the Amended Consent Judgment and this Court's jurisdiction over this case will automatically terminate on November 15, 2011. (bp) (Entered: 11/01/2011)
10/31/2011	<u>59</u>	MINUTES (IN CHAMBERS): ORDER DENYING Motion for Exercise of Rights for Intervention by Judge Audrey B. Collins: On June 21, 2011, a Motion for Exercise of Rights for Intervention was filed by a pro se group of residents at Atascadero State Hospital (the "Proposed Intervenor"). (Docket No. 31.) Defendants State of California, et al. ("Defendants") opposed on July 28, 2011 and Plaintiff United States opposed on August 11, 2011. The Proposed Intervenor replied on August 25, 2011. The Court has not set a date for oral argument and finds no oral argument necessary. Fed. R. Civ. P. 78; Local Rule 7-15. For the reasons below, the motion is DENIED...the Court also DENIES the Proposed Intervenor's motion for correction, filed on July 8, 2011. (Docket No. 35.)...The Court finds the Proposed Intervenor's motion is untimely, so the Court need not address any other factor justifying intervention. See Smith, 194 F.3d at 1053; Oregon, 913 F.2d at 589. The motion is DENIED. (PLEASE REVIEW DOCUMENT FOR FULL AND COMPLETE DETAILS) denying <u>31</u> Motion to Intervene; denying <u>35</u> Motion to Amend/Correct (lw) (Entered: 11/01/2011)
11/07/2011	<u>60</u>	APPLICANTS' OBJECTIONS/PROTEST TO PARTIES Unfounded Stipulation To Extend Court's Jurisdiction filed by Movants Ernest Aguire, Victor Alvarez, Jose Ampriz, Arthur Arrellanes, Jason Athiede, Jose Avalos, Michael Beaver, Ricky Benson, Wayne Bishop, Reginald Blaunt, John Carver, Donald Casnell, Eddie Cassidy, Eduardo Castanon, Robert Castorena, Juan Daniel Chavez, Lloyd Clark, Peter Cobb, Brian Colombein, Neil Core, Joseph M Cortes, Richard Cortez, William Curtis,

		Ray Delong, Gary Dingest, Jerry Eates, George Eden, Hugo Edilberto, C Edwards, Marc Endsley, Lon Don Ferguson, Julio Flores, Ernesto Fuentes, Angel G, Nicandro Galaviz, Luis Garcia, Michael Garcia, Paul Gazaway, Sean Greenshields, David Guzman, Michael Hamilton, S Henderson, Harold Hines, Ramon Holguin, Brandon Howard, Ali Jones, Tod Koep, Andrew Kyle, Chris L, Warren Lanker, John Lowe, Ronnie Lucero, Curtis M, Jimmy Martinez, Damon Matheny, Michael McGee, Ron McLean, James McMann, Vadim Stanley Miesege, Orrin A Patrick, R Phillips, Terry Powell, Gary Ramirez, Artay Scruggs, Andy Sessions, Dan Sloria, David Smith, Billy W Soto, Richard Soto, Tim Taylor, Billy Thomas, Paul Thurman, Daniel Tigner, Frank Travalini, Daniel Trebas, Samuel Turner, Johnny Walker, Banner Walter, Tom L Ward, Kenfort Williams, Scott Zimmerman. (bm) (Entered: 11/09/2011)
11/14/2011	<u>61</u>	MINUTE: Letter to the Court (In Chambers): On November 9, 2011, the Court received a letter from Dr. Shakeel Khan, Chief of Staff of Napa State Hospital. This letter was is improper and the Court has not considered any matters stated therein. See Local Rule 83-2.11 (All matters shall be called to a judges attention by appropriate application or motion filed in compliance with the[] Local Rules.) by Judge Audrey B. Collins. (ir) (Entered: 11/14/2011)
11/14/2011	<u>62</u>	MINUTE: Order re Objection/Protest to Parties (In Chambers): On November 7, 2011, a pro se group of residents at Atascadero State Hospital filed anObjection/Protest to Parties Unfounded Stipulation to Extend Courts Jurisdiction. <u>60</u> . The Court has not considered the content of this document because, on October 31, 2011, the Court denied the residents motion to intervene in this case. The residents are not parties to this case and areadmonished that they may not file anything in this case without court permission IT IS SO ORDERED by Judge Audrey B. Collins. (ir) (Entered: 11/14/2011)
11/14/2011	<u>63</u>	STIPULATION for Order EXTENDING COURT'S JURISDICTION filed by plaintiff United States of America. (Attachments: # <u>1</u> Proposed Order)(Donnelly, Matthew) (Entered: 11/14/2011)
11/14/2011	<u>103</u>	NOTICE OF APPEAL to the 9th CCA filed by Movant/Appellant Daniel Trebas. Appeal of MINUTES (IN CHAMBERS): ORDER DENYING Motion for Exercise of Rights for Intervention <u>59</u> . Filed On: 10/31/2011; Entered On: 11/01/2011; Filing fee \$ 455 billed. cc: Daniel Trebas. (dmap); Modified on 11/28/2011 (dmap). (Entered: 11/28/2011)
11/16/2011	<u>64</u>	ORDER by Judge Audrey B. Collins, having read and considered the Parties' Stipulation to extend Court's Jurisdiction <u>63</u> , Atascadero and Patton State Hospital are no longer subject to the Amended Consent Judgment; and As to Metropolitan and Napa State Hospital, absent any motion by either Party that is accepted by this Court, this Court's jurisdiction over both the Amended Consent Judgment and this Court's jurisdiction over this case will automatically terminate on 12/2/11. (ir) (Entered: 11/16/2011)
11/28/2011	<u>104</u>	FILING FEE LETTER issued as to Movant/Appellant Daniel Trebas re Notice of Appeal to 9th Circuit Court of Appeals <u>103</u> . (dmap) (Entered: 11/28/2011)
11/30/2011	<u>300</u>	Mail Returned addressed to George Eden re Minutes of In Chambers <u>61</u> . "Late docketing due to Clerk's Office error." (lom) (Entered: 04/24/2013)
12/02/2011	<u>105</u>	NOTICE OF MOTION AND MOTION to Enforce Amended Consent Judgment filed by Plaintiff United States of America. Motion set for hearing on 1/23/2012 at 10:00 AM before Judge Audrey B. Collins. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>2</u> Proposed Order)(Donnelly, Matthew) (Entered: 12/03/2011)
12/02/2011	<u>106</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 11-57098, 9th CCA regarding Notice of Appeal to 9th Circuit Court of Appeals, <u>103</u> as to Movant Appellant Daniel Trebas. (car) (Entered: 12/05/2011)
12/05/2011	<u>107</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>103</u> filed by Daniel Trebas, CCA # 11-57098. A review of the docket reflects that appellant has not paid the docketing and filing fees for this appeal. Within 21 days from the date of this order, appellant shall: 1) file a motion with this court to proceed in forma pauperis; 2) pay \$455.00 to this court as the docketing and filing fees for this

		appeal and provide proof of payment to this court; or 3) otherwise show cause why the appeal should not be dismissed for failure to prosecute. The filing of a motion to proceed in forma pauperis will automatically stay the briefing schedule under Ninth Circuit Rule 27-11. Any motion to proceed in forma pauperis must include a financial declaration such as the attached Form 4. If appellant fails to comply with this order, this appeal will be dismissed automatically by the Clerk for failure to prosecute. Order received in this district on 12/5/11. (car) (Entered: 12/06/2011)
12/15/2011	<u>248</u>	APPEAL FEE PAID: re Notice of Appeal to 9th Circuit Court of Appeals <u>103</u> as to Movant/Appellant Daniel Trebas; Receipt Number: LA032500 in the amount of \$455. (dmap) (Entered: 01/05/2012)
12/21/2011	<u>243</u>	Notice of Change of Attorney filed by Defendants Dave Graziani, Melvin E Hunter, Octavio Carlos Luna, Stephen W Mayberg, Sharon Smith Nevins, Arnold Schwarzenegger, State of California (Angelopoulos, Tracey) (Entered: 12/21/2011)
12/21/2011	<u>244</u>	STIPULATION to Continue Hearing Date from January 23, 2012 to February 13, 2012 filed by defendants Melvin E Hunter, Octavio Carlos Luna, Stephen W Mayberg, Sharon Smith Nevins, Arnold Schwarzenegger, State of California. (Attachments: # <u>1</u> Proposed Order to Continue Hearing Date)(Angelopoulos, Tracey) (Entered: 12/21/2011)
01/03/2012	<u>245</u>	NOTICE of Change of Attorney Information for attorney George Dey Prince counsel for Defendants Dave Graziani, Melvin E Hunter, Octavio Carlos Luna, Stephen W Mayberg, Sharon Smith Nevins, Arnold Schwarzenegger, State of California. Changing address to 455 Golden Gate Ave., Suite 11000, San Francisco, CA 94102-7004. Changing email and fax to george.prince@doj.ca.gov ; fax: 415-703-5480. Adding George Dey Prince as attorney as counsel of record for all State defendants for the reason indicated in the G-06 Notice. Filed by defendants State of California (Prince, George) (Entered: 01/03/2012)
01/03/2012	<u>246</u>	NOTICE of Change of Attorney Information for attorney George Dey Prince counsel for Defendants Dave Graziani, Melvin E Hunter, Octavio Carlos Luna, Stephen W Mayberg, Sharon Smith Nevins, Arnold Schwarzenegger, State of California. Changing email and fax number to george.prince@doj.ca.gov ; fax 415-703-5480. Adding George Dey Prince as attorney as counsel of record for all State defendants for the reason indicated in the G-06 Notice. Filed by defendants State of California, et al. (Prince, George) (Entered: 01/03/2012)
01/03/2012		Notice of Electronic Filing re Notice of Change of Attorney Information (G-06) <u>246</u> , Notice of Change of Attorney Information (G-06) <u>245</u> e-mailed to Tracey L. Angelopoulos bounced due to invalid e-mail address. The primary e-mail address associated with the attorney record has been deleted. Pursuant to the General Order and Local Rules it is the attorneys obligation to maintain all personal contact information including e-mail address in the CM/ECF system. (jj) TEXT ONLY ENTRY (Entered: 01/03/2012)
01/03/2012	<u>247</u>	ORDER GRANTING STIPULATION TO CONTINUE January 23, 2012 Hearing On United States' Motion To Enforce The Amended Consent Judgment by Judge Audrey B. Collins, re Stipulation <u>244</u> : This Court, having considered the parties' stipulation and good cause appearing, hereby GRANTS the parties' stipulation for a continuance. The January 23, 2012 hearing on Plaintiff's motion to enforce the amended consent judgment is hereby continued to February 13, 2012. (bm) (Entered: 01/03/2012)
01/23/2012	<u>251</u>	OPPOSITION to MOTION to Enforce Amended Consent Judgment <u>105</u> filed by Defendant State of California. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Affidavit, # <u>3</u> Affidavit, # <u>4</u> Exhibit, # <u>5</u> Affidavit)(Prince, George) (Entered: 01/23/2012)
01/26/2012	<u>252</u>	STIPULATION to Continue Motion to Enforce from 2/13/12 to 3/5/12 Re: Order, Set/Reset Motion Hearing and R&R Deadlines,, <u>247</u> , MOTION to Enforce Amended Consent Judgment <u>105</u> filed by Plaintiff United States of America. (Attachments: # <u>1</u> Proposed Order)(Donnelly, Matthew) (Entered: 01/26/2012)
01/27/2012	<u>253</u>	ORDER by Chief Judge Audrey B. Collins, re Stipulation to Continue, <u>252</u> , This Court,...hereby GRANTS the Parties' Stipulation for a continuance. The February 13, 2012, hearing on the United States' Motion to Enforce the Amended Consented Judgment is continued to March 5, 2012.... The hearings re Motion originally

		scheduled have been rescheduled( Motion set for hearing on 3/5/2012 at 10:00 AM before Judge Audrey B. Collins.) (lw) (Entered: 01/30/2012)
02/03/2012	<u>255</u>	MINUTE ORDER IN CHAMBERS re Letter to the Court by Judge Audrey B. Collins: On February 2, 2012, the Court received a letter from Dr. Alex Sahba, President of Medical Staff at Metropolitan State Hospital. This letter is improper and the Court has not considered any matters stated therein. See Local Rule 83-2.11 ("All matters shall be called to a judges attention by appropriate application or motion filed in compliance with the[] Local Rules."). (bm) (Entered: 02/03/2012)
02/14/2012	<u>256</u>	STIPULATION to Continue hearing from 3/5/12 to 6/25/12 Re: Order, Set/Reset Motion Hearing and R&R Deadlines,, <u>253</u> , MOTION to Enforce Amended Consent Judgment <u>105</u> filed by Plaintiff United States of America. (Attachments: # <u>1</u> Proposed Order)(Donnelly, Matthew) (Entered: 02/14/2012)
02/15/2012	<u>257</u>	ORDER by Judge Audrey B. Collins, re Stipulation to Continue, <u>256</u> : The Parties have submitted a stipulation requesting a continuance of the hearing, regarding the United States' Motion to Enforce the Amended Consent Judgment, ECF No. 105, presently scheduled for March 5, 2012. This Court, having considered the Parties Stipulation and good cause appearing, hereby GRANTS the Parties Stipulation for a continuance. The March 5, 2012, hearing on the United States Motion to Enforce the Amended Consent Judgment is continued to June 25, 2012. (bm) (Entered: 02/16/2012)
03/13/2012	<u>258</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals <u>103</u> filed by Daniel Trebas CCA # 11-57098. The motion to proceed in forma pauperis is granted. The Clerk shall amend the docket to reflect this status. Appellee State of California's opposed motion to file a late response to appellant's emergency motion for a preliminary injunction is granted. The response is deemed filed. Appellant's emergency motion for a preliminary injunction is denied. Because appellant is proceeding without counsel, the excerpts of record requirement is waived. See 9th Cir. R. 30-1.2. Appellees' supplemental excerpts of record are limited to the district court docket sheet, the notice of appeal, the judgment or order appealed from, and any specific portions of the record cited in appellees' brief. See 9th Cir. R. 30-1.7.The briefing schedule established previously shall remain in effect. Order received in this district on 3/13/2012. (dmap) (Entered: 03/15/2012)
04/09/2012	<u>259</u>	Mail Returned addressed to Andy Sessions, Attempted Not Known, No Such Name, re USCA Order <u>258</u> . (bm) (Entered: 04/10/2012)
04/09/2012	<u>260</u>	Mail Returned addressed to Gary Ramirez, Attempted Not Known, No Such Name, re USCA Order <u>258</u> . (bm) (Entered: 04/10/2012)
04/09/2012	<u>261</u>	MAIL RETURNED addressed to Ernesto Fuentes at Atascadero State Hospital re USCA Order <u>258</u> (ir) (Entered: 04/10/2012)
04/09/2012	<u>262</u>	MAIL RETURNED addressed to Paul Thompson at Atascadero State Hospital re USCA Order <u>258</u> (ir) (Entered: 04/10/2012)
04/09/2012	<u>263</u>	MAIL RETURNED addressed to Kennet H at Atascadero State Hospital re USCA Order <u>258</u> (ir) (Entered: 04/10/2012)
04/09/2012	<u>264</u>	MAIL RETURNED addressed to Jason Athiede at Atascadero State Hospital re USCA Order <u>258</u> (ir) (Entered: 04/10/2012)
04/09/2012	<u>265</u>	MAIL RETURNED addressed to Tim Taylor at Atascadero State Hospital re USCA Order <u>258</u> (ir) (Entered: 04/10/2012)
04/09/2012	<u>266</u>	MAIL RETURNED addressed to Reginald Blaunt at Atascadero State Hospital re USCA Order <u>258</u> (ir) (Entered: 04/10/2012)
04/09/2012	<u>267</u>	MAIL RETURNED addressed to Peter Cobb at Atascadero State Hospital re USCA Order <u>258</u> (ir) (Entered: 04/10/2012)
04/09/2012	<u>268</u>	MAIL RETURNED addressed to Jimmy Martinez at Atascadero State Hospital re USCA Order <u>258</u> (ir) (Entered: 04/10/2012)

06/07/2012	<u>269</u>	EX PARTE APPLICATION to Continue hearing from 6/25/12 to 8/27/12 Re: Order, Set/Reset Motion Hearing and R&R Deadlines,,,, <u>257</u> , MOTION to Enforce Amended Consent Judgment <u>105</u> filed by plaintiff United States of America. (Attachments: # <u>1</u> Declaration of counsel, # <u>2</u> Memorandum in Support, # <u>3</u> Declaration of Court Monitor, # <u>4</u> Proposed Order)(Donnelly, Matthew) (Entered: 06/07/2012)
06/08/2012	<u>270</u>	OPPOSITION to EX PARTE APPLICATION to Continue hearing from 6/25/12 to 8/27/12 Re: Order, Set/Reset Motion Hearing and R&R Deadlines,,,, <u>257</u> , MOTION to Enforce Amended Consent Judgment <u>105</u> EX PARTE APPLICATION to Continue hearing from 6/25/12 to 8/27/12 Re: Order, Set/Reset Motion Hearing and R&R Deadlines,,,, <u>257</u> , MOTION to Enforce Amended Consent Judgment <u>105</u> <u>269</u> filed by Defendant State of California. (Prince, George) (Entered: 06/08/2012)
06/11/2012	<u>271</u>	ORDER by Judge Audrey B. Collins: NOTE: CHANGES MADE BY THE COURT – Granting <u>269</u> United States' Ex Parte Application to Continue the June 25, 2012 hearing. The June 25, 2012 hearing is continued to AUGUST 20, 2012 at 10:00 AM before Judge Audrey B. Collins. (lw) (Entered: 06/12/2012)
08/13/2012	<u>272</u>	EX PARTE APPLICATION to Continue hearing from 8/20/12 to 9/24/12 Re: MOTION to Enforce Amended Consent Judgment <u>105</u> , Order on Ex Parte Application to Continue, <u>271</u> filed by plaintiff United States of America. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Declaration of counsel, # <u>3</u> Proposed Order)(Donnelly, Matthew) (Entered: 08/13/2012)
08/14/2012	<u>273</u>	OPPOSITION Opposition to Plaintiffs Ex Parte Application to Continue the August 20, 2012, Hearing Date on Plaintiffs Motion to Enforce the Consent Judgment re: EX PARTE APPLICATION to Continue hearing from 8/20/12 to 9/24/12 Re: MOTION to Enforce Amended Consent Judgment <u>105</u> , Order on Ex Parte Application to Continue, <u>271</u> EX PARTE APPLICATION to Continue hearing from 8/20/12 to 9/24/12 Re: MOTION to Enforce Amended Consent Judgment <u>105</u> , Order on Ex Parte Application to Continue, <u>271</u> <u>272</u> filed by Defendants Octavio Carlos Luna, Stephen W Mayberg, Sharon Smith Nevins, Arnold Schwarzenegger, State of California. (Prince, George) (Entered: 08/14/2012)
08/15/2012	<u>274</u>	MINUTES (IN CHAMBERS) ORDER RE: Motion to Enforce Consent Judgment by Judge Audrey B. Collins granting <u>272</u> Ex Parte Application to Continue: On August 13, 2012, Plaintiff United States filed an ex parte application to continue the hearing on its pending Motion to Enforce the Consent Judgment in this case, which is currently set for Monday, August 20, 2012 at 10:00 a.m. (Docket No. 272.) Defendants State of California, et al., opposed on August 14, 2012. The Court GRANTS the request and CONTINUES the hearing on the motion to Monday, September 24, 2012 at 10:00 a.m. The Court ORDERS the parties to file simultaneous briefs no later than Monday, September 17, 2012, updating the Court on the monitor's final assessment of the state's compliance with the restraint provision of the consent judgment at Napa State Hospital following the coroner's report on the recent restraint death there. It appears that the monitor has found the state in compliance with the rest of the provisions of the consent judgment raised in the pending motion and the United States is no longer pressing those issues (Ex Parte App. 9), so the parties must explain to the Court what matters remain outstanding and what relief is now necessary in this case, if any. (bm) (Entered: 08/15/2012)
09/04/2012	<u>275</u>	STATEMENT of DEFENDANTS BRIEF re: MATTERS OUTSTANDING AND LACK OF NEED FOR ANY ADDITIONAL RELIEF SAVE FOR TERMINATION OF AMENDED CONSENT JUDGMENT EX PARTE APPLICATION to Continue hearing from 8/20/12 to 9/24/12 Re: MOTION to Enforce Amended Consent Judgment <u>105</u> , Order on Ex Parte Application to Continue, <u>271</u> EX PARTE APPLICATION to Continue hearing from 8/20/12 to 9/24/12 Re: MOTION to Enforce Amended Consent Judgment <u>105</u> , Order on Ex Parte Application to Continue, <u>271</u> <u>272</u> DEFENDANTS BRIEF re: MATTERS OUTSTANDING AND LACK OF NEED FOR ANY ADDITIONAL RELIEF SAVE FOR TERMINATION OF AMENDED CONSENT JUDGMENT filed by Defendant State of California. (Prince, George) (Entered: 09/04/2012)
09/17/2012	<u>276</u>	SUPPLEMENT to MOTION to Enforce Amended Consent Judgment <u>105</u> filed by Plaintiff United States of America. (Attachments: # <u>1</u> Declaration of Monitor)(Donnelly, Matthew) (Entered: 09/17/2012)

09/24/2012	<u>295</u>	MINUTES: MOTION TO ENFORCE AMENDED CONSENT JUDGMENT <u>105</u> : Matter called. Tentative given to counsel. Court and counsel confer regarding tentative. Court and counsel discuss the position of monitor. The Court having heard from counsel, will maintain tentative. Counsel ORDERED to e-file a joint report 10 days after monitor's two evaluations are completed, updating the Court. If a final report is done, the Court would like that submitted also. Tentative order to follow, which reflects the ruling of the above motion IT IS SO ORDERED by Judge Audrey B. Collins Court Reporter: Katherine Stride. (ir) (Entered: 09/26/2012)
09/25/2012	<u>277</u>	Mail Returned addressed to Richard Cortez re Order RE: Motion to Enforce Consent Judgment <u>274</u> . (mat) (Entered: 09/25/2012)
09/25/2012	<u>278</u>	Mail Returned addressed to Kennet H re Order RE: Motion to Enforce Consent Judgment <u>274</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>279</u>	Mail Returned addressed to Ron Cynman re ORDER GRANTING STIPULATION TO CONTINUE January 23, 2012 Hearing On United States' Motion To Enforce The Amended Consent Judgment <u>247</u> (mat) (Entered: 09/26/2012)
09/25/2012	<u>280</u>	Mail Returned addressed to Juan Gutierrez re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>281</u>	Mail Returned addressed to George Bell re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>282</u>	Mail Returned addressed to Paul Thurman re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>283</u>	Mail Returned addressed to Chris L re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>284</u>	Mail Returned addressed to Tod Koep re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>285</u>	Mail Returned addressed to Michael Lanning re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>286</u>	Mail Returned addressed to Scott Zimmerman re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>287</u>	Mail Returned addressed to Luis Garcia re Order to Continue <u>257</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>288</u>	Mail Returned addressed to Luis Garcia re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>289</u>	Mail Returned addressed to Eduardo Castanon re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>290</u>	Mail Returned addressed to Ron McLean re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>291</u>	Mail Returned addressed to James Deby re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>292</u>	Mail Returned addressed to Kennet H re Order to Continue <u>253</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>293</u>	Mail Returned addressed to Ron Cynman re Order RE: Motion to Enforce Consent Judgment <u>274</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>294</u>	Mail Returned addressed to Michael Hamilton re Order RE: Motion to Enforce Consent Judgment <u>274</u> . (mat) (Entered: 09/26/2012)
09/25/2012	<u>296</u>	ORDER RE: MOTION TO ENFORCE AMENDED CONSENT JUDGMENT by Judge Audrey B. Collins: The United States' Motion to Enforce Consent Judgment <u>105</u> is GRANTED with respect to § I.H regarding prone restraints at Napa State Hospital and is otherwise DENIED as moot. The United States is ORDERED to lodge a proposed order with Court no later than 10 days from the date of this Order reflecting the following: The Court TERMINATES all the provisions of the Amended Consent



		Judgment as they apply to Metropolitan State Hospital. The Court TERMINATES the provisions of the Amended Consent Judgment as they apply to Napa State Hospital, except § I.H and any other provision necessary to remedy Defendants non-compliance with that section. The Court EXTENDS § I.H of the Amended Consent Judgment for no more than 12 months. During that time, the Monitor shall conduct two evaluations of Defendants' compliance with § I.H. Within one month of the Court's entry of an Order consistent with the rulings herein, the Monitor shall conduct the first evaluation and may conduct the second evaluation within six months after the first evaluation or as shortly thereafter as the Monitor deems appropriate. The parties are ORDERED to file a joint report updating the Court on the status of the Monitor's oversight no later than 10 days after the Monitor issues a report following each of his two evaluations of Napa. (ir) (Entered: 09/26/2012)
10/03/2012	<u>297</u>	NOTICE OF LODGING filed <i>Proposed Order</i> re Order on Motion to Enforce,,,,, <u>296</u> (Attachments: # <u>1</u> Proposed Order)(Donnelly, Matthew) (Entered: 10/03/2012)
10/09/2012	<u>298</u>	ORDER by Judge Audrey B. Collins, re Order on Motion to Enforce, <u>296</u> ; The Court TERMINATES all the provisions of the Amended Consent Judgment as they apply to Metropolitan State Hospital. The Court TERMINATES the provisions of the Amended Consent Judgment as they apply to Napa State Hospital, except § I.H and any other provision necessary to remedy Defendants non-compliance with that section. To that end, §§ II (Enforcement), III (Modification of Terms), and IV (Compliance and Termination) are retained to the extent they do not directly conflict with the specific provisions of this Order below. The Court ORDERS Defendants to modify their policies at Napa State Hospital to prohibit all use of prone restraints, prone containments, and prone stabilizations as called for in the Amended Consent Judgment § I.H.1. The Court EXTENDS § I.H of the Amended Consent Judgment as it applies to Napa State Hospital for no more than 12 months from the date of this Order. This extension modifies the five-year termination provision stated in § IV.A. During those 12 months, the Monitor shall conduct two evaluations of Defendants' compliance with § I.H at Napa State Hospital. The Amended Consent Judgment's term "maintained sustained compliance" is amended to mean that Defendants maintain substantial compliance with § I.H for at least two Monitor evaluations. See Amended Consent Judgment § IV.A. Within one month of the Court's entry of this Order, the Monitor shall conduct the first evaluation and may conduct the second evaluation within six months after the first evaluation or as shortly thereafter as the Monitor deems appropriate. After any such evaluation, the Monitor shall issue a report of his findings.....The Parties are ORDERED to file a joint report updating the Court on the status of the Monitor's oversight no later than 10 days after the Monitor issues any such evaluation report of Napa State Hospital. (lw) (Entered: 10/10/2012)
01/02/2013	<u>299</u>	NOTICE (joint) of Monitor's Report Regarding Napa State Hospital filed by plaintiff United States of America. (Attachments: # <u>1</u> Monitor's Report)(Donnelly, Matthew) (Entered: 01/02/2013)
06/05/2013	<u>301</u>	NOTICE (Joint) of Monitor's Second Report Regarding Napa State Hospital filed by plaintiff United States of America. (Attachments: # <u>1</u> Report)(Donnelly, Matthew) (Entered: 06/05/2013)
08/15/2013	<u>302</u>	ORDER from 9th CCA filed, CCA # 11-57098. The request for judicial notice by Appellant-Intervenor Daniel James Trebas is DENIED. Order received in this district on 8/15/13. (car) (Entered: 08/16/2013)
08/23/2013	<u>303</u>	NOTICE Monitor's Report filed by Plaintiff United States of America. (Attachments: # <u>1</u> Monitor's Report)(Maddox, William) (Entered: 08/23/2013)
08/28/2013	<u>304</u>	Mail Returned addressed to: SEE DOCUMENT FOR INDIVIDUAL ADDRESSEES re USCA Order <u>302</u> (Attachments: # <u>1</u> Part 2 of 3, # <u>2</u> Part 3 of 3) (jre) (Entered: 08/28/2013)
09/27/2013	<u>305</u>	ORDER from 9th CCA filed, CCA # 11-57098. Appellant Daniel Trebas's request for court action or dismissal, filed August 19, 2013, is denied as moot. The court filed a memorandum disposition in this matter on August 16, 2013. Order received in this district on 9/27/13. (car) (Entered: 09/30/2013)
10/01/2013	<u>306</u>	STIPULATION to Dismiss Case pursuant to compliance with consent decree filed by defendant State of California. (Attachments: # <u>1</u> Proposed Order Order Dissolving

		Amended Consent Judgment and Dismissing Case with Prejudice)(Prince, George) (Entered: 10/01/2013)
10/03/2013	<u>307</u>	ORDER re Stipulation <u>306</u> by Judge George H. King: For that reason, and on the basis that defendants have previously been found to be in compliance with all other compliance provisions of the Amended Consent Judgment of February 27, 2007 and the Consent Judgment of May 15,2006, that preceded the Amended Consent Judgment, the Amended Consent Judgment is hereby dissolved and this action dismissed, with prejudice. (ir) (Entered: 10/03/2013)
10/09/2013	<u>308</u>	MANDATE of 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>103</u> , CCA # 11-57098. The Judgment of the district court is AFFIRMED. Mandate received in this district on 10/9/13. (car) (Entered: 10/11/2013)
11/20/2013	<u>310</u>	Mail Returned addressed to: SEE DOCUMENT FOR INDIVIDUAL ADDRESSEES re USCA Order <u>302</u> (jre) (Entered: 11/26/2013)
11/20/2013	<u>311</u>	Mail Returned addressed to: SEE DOCUMENT FOR INDIVIDUAL ADDRESSEES re USCA Order <u>305</u> (Attachments: # <u>1</u> part 2 of 4, # <u>2</u> part 3 of 4, # <u>3</u> part 4 of 4) (jre) (Entered: 11/26/2013)
11/22/2013	<u>309</u>	Mail Returned addressed to Atascadero State Hospital, Prisoner ID 060950-3, P.O. Box 7001, Atascadero, CA 93423-7001 re USCA Mandate <u>308</u> . Plaintiff refused mail. (sp) (Entered: 11/25/2013)
11/22/2013	<u>312</u>	Mail Returned addressed to: SEE DOCUMENT FOR INDIVIDUAL ADDRESSEES re Order <u>307</u> (Attachments: # <u>1</u> part 2 of 4, # <u>2</u> part 3 of 4, # <u>3</u> part 4 of 4) (jre) (Entered: 11/26/2013)
11/22/2013	<u>313</u>	Mail Returned addressed to: SEE DOCUMENT FOR INDIVIDUAL ADDRESSEES re USCA Mandate <u>308</u> (Attachments: # <u>1</u> part 2 of 4, # <u>2</u> part 3 of 4, # <u>3</u> part 4 of 4) (jre) (Entered: 11/26/2013)
04/28/2016	<u>314</u>	NOTICE OF DISCREPANCY AND ORDER: by Judge George H. King, ORDERING Letter from Movant Mark S. Sokolsky dated 4/13/2016 submitted by Petitioner Mark S Sokolsky received on 4/22/16 is not to be filed but instead rejected. Denial based on: Local Rule 83-2.5: No letters to judge. Other: Case is closed. Request for relief unclear. Any records request should be clearly made and directed to the records division indicating which records are sought. (bm) (Entered: 05/03/2016)