

CLOSED

**U.S. District Court
Eastern District of California – Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:92-cv-00613-JAM-GGH**

Sobky, et al v. Gould, et al
Assigned to: Judge John A. Mendez
Referred to: Magistrate Judge Gregory G. Hollows
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 04/16/1992
Date Terminated: 06/14/1994
Jury Demand: None
Nature of Suit: 950 Constitutional – State Statute
Jurisdiction: Federal Question

Plaintiff

Reda Z Sobky
M D, PhD

represented by **Amitai Schwartz**
Law Offices of Amitai Schwartz
Watergate Towers
2000 Powell Street
Suite 1286
Emeryville, CA 94608-1805
510-597-1775
Email: amitai@schwartzlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sue Ochs
Law Offices of Amitai Schwartz
155 Montgomery Street
Suite 800
San Francisco, CA 94104
415-389-0922

Plaintiff

**Humanistic Alternatives to Addiction
Research and Treatment Inc**

represented by **Amitai Schwartz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sue Ochs
(See above for address)

V.

Defendant

Andrew M Mecca
*in his official capacity as Director of
California Department of Alcohol and
Drug Programs*

represented by **Julie Weng-Gutierrez**
CA Office of the Attorney General
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
(916) 445-8223
Fax: (916) 324-5567
Email: julie.wenggutierrez@doj.ca.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joseph Owens Egan
Attorney General's Office for the State of
California
PO Box 944255
1300 I Street
Suite 125
Sacramento, CA 94244-2550

916-445-9555
 Email: joe.egan@doj.ca.gov
 TERMINATED: 07/06/2010

Defendant

Alameda County
 TERMINATED: 04/19/1993

represented by **Lorenzo Eric Chambliss**
 County of Alameda
 County Counsel
 1221 Oak Street
 Suite 463
 Oakland, CA 94612-6700
 510-272-6700
 TERMINATED: 04/19/1993
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Defendant

David J Kears
*in his official capacity as Director of
 Alameda County Health Care Services
 Agency*
 TERMINATED: 04/19/1993

represented by **Lorenzo Eric Chambliss**
 (See above for address)
 TERMINATED: 04/19/1993
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Defendant

Dana Kueffner
*in her official capacity as Director of
 Alameda County Department of Alcohol
 and Drug Programs*
 TERMINATED: 04/19/1993

represented by **Lorenzo Eric Chambliss**
 (See above for address)
 TERMINATED: 04/19/1993
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Defendant

Sandra R Smoley
*Secretary of the California Health and
 Welfare Agency*

represented by **Julie Weng-Gutierrez**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Joseph Owens Egan
 (See above for address)
 TERMINATED: 07/06/2010

Defendant

Kimberly Belshe
*Director, CA Department of Health
 Services*

represented by **Julie Weng-Gutierrez**
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Joseph Owens Egan
 (See above for address)
 TERMINATED: 07/06/2010

Date Filed	#	Docket Text
04/16/1992	1	COMPLAINT to Honorable David F Levi; Summons issued; fee status paid; Receipt # 138760; Notice re: Consent forms (old) (Entered: 04/17/1992)
04/16/1992	2	ORDER setting scheduling conference for 10:45 6/19/92 before Honorable David F Levi (cc: all counsel) (old) (Entered: 04/17/1992)
05/26/1992	3	STIPULATION extending time up to and including 5/29/92 for defendants County of Alameda, Kears, and Kueffner to respond to complaint (old) (Entered: 05/26/1992)

05/29/1992	4	ANSWER by defendant Russell S Gould, defendant Andrew M Mecca, and defendant Molly Joel Coye (old) (Entered: 06/01/1992)
05/29/1992	5	ANSWER by defendant Alameda County, defendant David J Kears, and defendant Dana Kueffner (old) (Entered: 06/01/1992)
06/12/1992	6	JOINT STATUS REPORT by plaintiffs (old) (Entered: 06/16/1992)
06/23/1992	7	STATUS ORDER by Honorable David F Levi ORDERING Scheduling conf continued to 9/18/92 at 1:30 in ctrm 3 any party may object within 7 days (cc: all counsel) (old) (Entered: 06/23/1992)
07/16/1992	8	STIPULATION by all parties that defendants County of Alameda, Kears, and Kueffner have to and including 8/3/92 to respond to plaintiff's first request for production of documents (old) (Entered: 07/16/1992)
07/30/1992	9	NOTICE by defendant Russell S Gould, defendant Andrew M Mecca, defendant Molly Joel Coye of answer to plaintiff's first request for production of documents (old) (Entered: 07/31/1992)
08/04/1992	10	NOTICE OF MOTION AND MOTION by plaintiff to certify class action; hrg 9/4/92 at 9:00 in ctrm 3 DFL (old) (Entered: 08/05/1992)
08/04/1992	11	MEMORANDUM by plaintiffs in support of motion to certify class action; hrg 9/4/92 at 9:00 in ctrm 3 DFL [10-1] (old) (Entered: 08/05/1992)
08/04/1992	12	DECLARATION of Amitai Schwartz in support of motion to certify class action; hrg 9/4/92 at 9:00 in ctrm 3 DFL [10-1] (old) (Entered: 08/05/1992)
08/04/1992		LODGED order granting motion for class certification (old) (Entered: 08/05/1992)
08/06/1992	13	DECLARATION of Reda Sobky in support of motion to certify class action; hrg 9/4/92 at 9:00 in ctrm 3 DFL [10-1] by plaintiffs (old) (Entered: 08/06/1992)
08/21/1992		LODGED stipulation for continuance of hearing on class certification and status conf (old) (Entered: 08/21/1992)
08/25/1992	14	ORDER by Honorable David F. Levi GRANTING lodged stipulation Scheduling conf continued to 10/9/92 at 11:15 ctrm 3 DFL setting hearing on plaintiff's motion to certify class action [10-1] to 9:00 on 9/18/92 (cc: all counsel) (old) (Entered: 08/25/1992)
09/01/1992	15	STATEMENT by defendant Alameda County, defendant David J Kears, and defendant Dana Kueffner of non-opposition to plaintiff's motion for class certification; hrg 9/18/92 at 9:00 ctrm 3 DFL (old) (Entered: 09/01/1992)
09/01/1992	16	MEMORANDUM by defendant Russell S Gould, defendant Andrew M Mecca, and defendant Molly Joel Coye in opposition to motion certify class action; hrg 9/4/92 at 9:00 in ctrm 3 DFL [10-1] (old) (Entered: 09/02/1992)
09/10/1992	17	MEMORANDUM by plaintiff Reda Z Sobky and plaintiff Humanistic Alternat in support of motion to certify class action; hrg 9/18/92 at 9:00 in ctrm 3 DFL [10-1] (old) (Entered: 09/11/1992)
09/15/1992	18	ORDER by Honorable David F. Levi GRANTING IN PART AND DENYING IN PART the motion to certify class action; hrg 9/4/92 at 9:00 in ctrm 3 DFL [10-1]; CERTIFYING the class as "All persons in the State of California eligible for Medi-Cal for whom methadone maintenance treatment is medically necessary and otherwise appropriate but who are, or may in the future be, unable to obtain methadone maintenance treatment through the Medi-Cal program; ORDERING that if any party has an objection with this TENTATIVE RULING, they should contact the courtroom deputy and have the oral argument as scheduled on 9/18/92; if no party makes a request, this tentative ruling will become final (cc: all counsel) (old) (Entered: 09/15/1992)
09/15/1992	19	LODGED Document vacating the 8/4/92 lodged order granting motion for class certification; COURT PREPARED ITS OWN ORDER (old) (Entered: 09/15/1992)
10/08/1992		LODGED stipulation for continuance of the status conference (old) (Entered: 10/08/1992)

10/09/1992	20	STIPULATION and ORDER by Honorable David F. Levi GRANTING lodged stipulation continuing the scheduling conference Scheduling conf continued to 10/9/92 at 11:15 (cc: all counsel) (old) (Entered: 10/09/1992)
11/13/1992	21	NOTICE by defendant Russell S Gould, defendant Andrew M Mecca, and defendant Molly Joel Coye of related case(s) C 92-2852 CAL in the Northern District of California (old) (Entered: 11/16/1992)
12/04/1992	22	JOINT STATUS REPORT by plaintiffs and defendants (old) (Entered: 12/07/1992)
12/08/1992	23	RELATED CASE ORDER by Honorable David F Levi RELATING 2:92-cv-613 DFL GGH w/ member case 2:92-cv-1905 EJG PAN ; ORDERING: case 2:92-cv-1905 is REASSIGNED to DFL and GGH for all further proceedings; any dates currently set in reassigned case ONLY are VACATED; parties are referred to attached order setting status (Pretrial Scheduling) conference for 2:92-cv-1905 DFL GGH only; clerk to make appropriate adjustment in assignment of civil cases to compensate for reassignment (cc: all counsel) (old) (Entered: 12/08/1992)
12/14/1992	24	ORDER by Honorable David F. Levi Case consolidated 2:92-cv-613 with member case 2:92-cv-1905 (cc: all counsel) (old) (Entered: 12/14/1992)
12/15/1992	25	STATUS ORDER by Honorable David F Levi re status conf held in chambers 12/11/92; plaintiff's motion for summary judgment or preliminary injunction shall be filed 1/29/93; depts' cross motion for summary judgment, opposition or motion to dismiss shall be filed by 2/26/93; pltfs' reply and opposition by 3/12/93; depts' rply by 3/26/93; hrg on such mtns on 4/29/93 at 1:30 Discovery ddl 2/16/93 objections within 7 days (cc: all counsel) (old) (Entered: 12/15/1992)
01/25/1993		LODGED Stipulation continuing deadline and hearing dates for motions for summary judgment (kh) (Entered: 01/26/1993)
02/01/1993	26	STIPULATION and ORDER CONTINUING DEADLINE AND HEARING DATES FOR MOTIONS FOR SUMMARY JUDGMENT by Honorable David F Levi ORDERING all dates set in the court's pretrial scheduling order are CONTINUED for 7 days (cc: all counsel) (kh) (Entered: 02/01/1993)
02/05/1993	27	NOTICE OF MOTION AND MOTION by pltfs Humanistic Alternatives, Reda Z Sobky for partial summary judgment or, in the alternative, for preliminary injunction set 5/6/93 at 9:00 before DFL (old) (Entered: 02/08/1993)
02/05/1993	28	MEMORANDUM by plaintiffs in SUPPORT of motion for partial summary judgment [27-1] or, in the alternative, for preliminary injunction [27-2] (old) (Entered: 02/08/1993)
02/05/1993	29	STATEMENT by pltfs of MATERIAL FACTS NOT IN DISPUTE re: motion for partial summary judgment [27-1], for preliminary injunction [27-2] (old) (Entered: 02/08/1993)
02/05/1993	30	DECLARATIONS of Donald Nikkel, Brian Slattery, Ron Kletter, Vicki Manahl, Sharon McCloud, Lisa Quilling, Terri Randall, Heather Randolph, Paul Sanchez and Judi Sollenberger in SUPPORT of motion for partial summary judgment [27-1], for preliminary injunction [27-2] (old) (Entered: 02/08/1993)
02/05/1993	31	EXHIBITS to declaration of Amitai Schwartz in SUPPORT of motion for partial summary judgment [27-1], for preliminary injunction [27-2]; Vol I (old) Modified on 02/08/1993 (Entered: 02/08/1993)
02/05/1993	32	EXHIBITS to declaration of Amitai Schwartz in SUPPORT of motion for partial summary judgment [27-1], for preliminary injunction [27-2]; Vol II (old) Modified on 02/08/1993 (Entered: 02/08/1993)
02/05/1993	33	EXHIBITS to declaration of Amitai Schwartz in SUPPORT of motion for partial summary judgment [27-1], for preliminary injunction [27-2]; Vol III (old) Modified on 02/08/1993 (Entered: 02/08/1993)
02/05/1993	34	EXHIBITS to declaration of Amitai Schwartz in SUPPORT of motion for partial summary judgment [27-1], for preliminary injunction [27-2]; Vol IV (old) (Entered: 02/08/1993)

02/25/1993		LODGED stipulation continuing the deadline and hrg dates for the motions for summary judgments by defts (old) (Entered: 03/01/1993)
03/03/1993	35	STIPULATION and ORDER by Honorable David F Levi ORDERING the3 dates int he pretrial scheduling order are CONTINUED so that defendant's cross motion for summary judgment opposition or motion to dismiss is due 3/12/93, plaintiff's reply 3/30/93, defendant's reply 4/19/93 and the hearing shall be 5/6/93 at 1:30pm (cc: all counsel) (kh) (Entered: 03/03/1993)
03/11/1993	36	LETTER to court from defendants confirming defts' cross-motion for summary judgment, opposition or motion to dismiss may be filed 3/15/93 (old) (Entered: 03/12/1993)
03/12/1993	37	NOTICE OF MOTION AND MOTION by defendant Alameda County to dismiss or in the alternative for judgment on the pleadings by deft Alamada County hrg 5/6/93 at 1:30 ctrm 3 DFL (old) (Entered: 03/15/1993)
03/12/1993	38	MEMORANDUM by defendant Alameda County in support of motion to dismiss or in the alternative for judgment on the pleadings by deft Alamada County [37-1] (old) (Entered: 03/15/1993)
03/12/1993	39	DECLARATION of David Kears IN SUPPORT OF re motion to dismiss or in the alternative for judgment on the pleadings by deft Alamada County [37-1] (old) (Entered: 03/15/1993)
03/15/1993	40	NOTICE OF MOTION AND MOTION by State Defendants to dismiss State Defendants or, in the alternative for summary judgment for State Defendants motions to be heard 5/6/93 at 1:30pm by Honorable David F Levi (kh) (Entered: 03/16/1993)
03/15/1993	41	MEMORANDUM OF POINTS AND AUTHORITIES by State Defendants Russell S Gould, Andrew M Mecca, Molly Joel Coye in SUPPORT of motion to dismiss State Defendants [40-1], of motion for summary judgment for State Defendants [40-2] (kh) (Entered: 03/16/1993)
03/15/1993	42	STATEMENT by State Defendants Russell S Gould, Andrew M Mecca, and Molly Joel Coye of MATERIAL FACTS Not in Dispute (kh) (Entered: 03/16/1993)
03/15/1993	43	MEMORANDUM OF POINTS AND AUTHORITIES by State Defendants Russell S Gould, Andrew M Mecca and Molly Joel Coye in OPPOSITION to motion for partial summary judgment [27-1], motion for preliminary injunction [27-2] (kh) (Entered: 03/16/1993)
03/15/1993	44	DECLARATION of Joseph O Egan in SUPPORT of OPPOSITION to motions [43-1], and MOTIONS to dismiss State Defendants [40-1] and for summary judgment for State Defendants [40-2] (kh) (Entered: 03/16/1993)
03/15/1993	45	DECLARATIONS of Kathy Anderson, James Cicconetti, Wayne Clark, Allan Harlow, Venus Little, Joy Jarfors, Susan Nisenbaum, Elizabeth Stanley and Larry Carpenter in SUPPORT of OPPOSITION to motions [43-1], and motion to dismiss State Defendants [40-1], motion for summary judgment for State Defendants [40-2]; EXHIBITS 3-9 (kh) Modified on 03/16/1993 (Entered: 03/16/1993)
03/15/1993	46	DECLARATIONS of Kathy Anderson, James Cicconetti, Wayne Clark, Allan Harlow, Venus Little Joy Jarfors, Susan Nisenbaum, Elizabeth Stanley and Larry Carpenter in SUPPORT of OPPOSITION to motions [43-1], and motion to dismiss State Defendants [40-1], motion for summary judgment for State Defendants [40-2]; EXHIBIT 1 (kh) Modified on 03/16/1993 (Entered: 03/16/1993)
03/15/1993	47	STATEMENT by State Defendants Russell S Gould, Andrew M Mecca and Molly Joel Coye of MATERIAL FACTS as to which there is a genuine issue precluding motion for partial summary judgment [27-1] (kh) (Entered: 03/16/1993)
03/18/1993	48	DEPOSITION of Venus Little taken on the following date(s): 8/21/92 (kh) (Entered: 03/18/1993)

03/18/1993	49	DEPOSITION of Robert Lefkin taken on the following date(s): 11/30/92 (kh) (Entered: 03/18/1993)
03/18/1993	50	DEPOSITION of Elizabeth A Stanley taken on the following date(s): 12/1/92 (kh) (Entered: 03/18/1993)
03/18/1993	51	DEPOSITION of Dana Kuefner taken on the following date(s): 8/19/93 (kh) (Entered: 03/18/1993)
03/18/1993	52	DEPOSITION of Ronald Klettner taken on the following date(s): 12/3/93 – VOLUME I (kh) Modified on 03/18/1993 (Entered: 03/18/1993)
03/18/1993	53	DEPOSITION of Ronald Kletter taken on the following date(s): 1/5/93 – VOLUME II (kh) (Entered: 03/18/1993)
03/18/1993	54	DEPOSITION of Charles Deutschman taken on the following date(s): 12/10/92 (kh) (Entered: 03/18/1993)
03/22/1993	55	DEPOSITION of Dr Reda Z Sobky taken on 1/12/93 (old) (Entered: 03/22/1993)
03/22/1993	56	DEPOSITION of Anne Bolla, MBA taken on 1/12/93 (old) (Entered: 03/22/1993)
03/22/1993	57	NOTICE of filing sealed depositions of plaintiffs Dr Reda Sobky and Anne Bolla by defendants Molly Joel Coye, Andrew Mecca and Russell Gould (old) (Entered: 03/23/1993)
03/26/1993	58	STATEMENT by defendants Molly Joel Coye, Andrew M Mecca, and S Gould Co in support of motion to dismiss or in the alternative for judgment on the pleadings by deflt Alameda County [37–1], in support of motion for partial summary judgment [27–1]; set for 5/6/93 at 1:30pm before DFL (old) (Entered: 03/29/1993)
04/01/1993	59	MEMORANDUM by plaintiff in support of motion for partial summary judgment [27–1] (old) (Entered: 04/02/1993)
04/01/1993	60	DECLARATION of Barbara A Jones IN OPPOSITION TO motion for summary judgment for State Defendants [40–2] (old) (Entered: 04/02/1993)
04/01/1993	61	MEMORANDUM by plaintiff in opposition to motion for summary judgment for State Defendants [40–2] (old) (Entered: 04/02/1993)
04/05/1993		LODGED STIPULATION AND ORDER to dismiss plaintiffs' merritt claims numbered eight and nine without prejudice (old) (Entered: 04/06/1993)
04/12/1993		LODGED Stipulation for an order dismissing defendants County of Alameda, David J Kears and Dana Kueffner (kh) (Entered: 04/13/1993)
04/13/1993	62	STIPULATION and ORDER by Honorable David F Levi ORDERING plaintiff's 8th and 9th in 92–1905 are DISMISSED without prejudice (cc: all counsel) (kh) (Entered: 04/13/1993)
04/13/1993	63	DEPOSITION of Richard Earle Browne Jr taken on the following date(s): 12/18/92 (kh) (Entered: 04/13/1993)
04/19/1993	64	STIPULATION and ORDER by Honorable David F Levi dismissing party Alameda County, party David J and party Dana Kueffner from these consolidated actions with prejudice; plaintiffs waive any further claim for attorneys fees and costs against County of Alameda, David J Kearns and Dana Kueffner (cc: all counsel) (old) (Entered: 04/19/1993)
04/19/1993	65	MEMORANDUM by defendants Molly Joel Coye, Andrew M Mecca, and Russell S Gould in support of motion to dismiss State Defendants [40–1] (old) (Entered: 04/20/1993)
04/19/1993	66	SUPPLEMENTAL DECLARATIONS in SUPPORT of state defendants memorandum in OPPOSITION to motion for partial summary judgment, or in the alternative, for preliminary injunction and state defendants' motion to dismiss or in the alternative, for summary judgment [61–1] by dfts Coy, Mecca, Gould (old) (Entered: 04/20/1993)

05/06/1993	67	MINUTES of motion hearing before Honorable David F Levi; motion for summary judgment for State Defendants [40-2] is submitted and motion for partial summary judgment [27-1] is submitted; order to be prepared by the court; C/R: Deanna Bates (old) (Entered: 05/07/1993)
09/16/1993	68	LETTER to court from dfts Dana Kueffner in 2:92-cv-00613, David J Kears, Alameda County, Molly Joel Coye, Andrew M Mecca, Russell S Gould (old) (Entered: 09/20/1993)
09/16/1993	69	LETTER to court from pltfs Humanistic Alternat in 2:92-cv-00613, Reda Z Sobky (old) (Entered: 09/20/1993)
09/16/1993	70	LETTER to court from pltfs Humanistic Alternat in 2:92-cv-00613, Reda Z Sobky (old) (Entered: 09/20/1993)
10/28/1993	71	MEMORANDUM OF DECISION AND ORDER by Honorable David F Levi ORDERING: dfts' motion to dismiss State Defendants [40-1] is DENIED; motion for partial summary judgment [27-1] is DENIED; motion for preliminary injunction [27-2] is GRANTED; court requests that parties meet and confer as to precise terms of the preliminary injunction; if parties agree, proposed order due w/in 21 days, otherwise separate orders w/ brief due (cc: all counsel) (old) (Entered: 10/28/1993)
11/08/1993	72	NOTICE OF MOTION AND MOTION for reconsideration of order denying pltfs' mtn for partial summary judgment and order denying preliminary injunction in part by pltfs ; motion before Honorable David F Levi on 12/17/93 at 9:00am (old) (Entered: 11/10/1993)
11/08/1993	73	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF motion for reconsideration of order denying pltfs' mtn for partial summary judgment and order denying preliminary injunction in part by pltfs (old) (Entered: 11/10/1993)
11/19/1993	74	NOTICE OF MOTION AND MOTION for summary judgment by pltfs on 12/17/93 at 9:00am ; motion before Honorable David F Levi (old) (Entered: 11/19/1993)
11/19/1993	75	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF motion for summary judgment by pltfs on 12/17/93 at 9:00am [74-1] (old) (Entered: 11/19/1993)
11/19/1993	76	DECLARATION of Anne Bolla IN SUPPORT OF motion for summary judgment by pltfs on 12/17/93 at 9:00am [74-1] (old) (Entered: 11/19/1993)
11/19/1993	77	DECLARATION of Douglas Lipman IN SUPPORT OF motion for summary judgment by pltfs on 12/17/93 at 9:00am [74-1] (old) (Entered: 11/19/1993)
11/19/1993	78	DECLARATION of Ronald K Perry IN SUPPORT OF motion for summary judgment by pltfs on 12/17/93 at 9:00am [74-1] (old) (Entered: 11/19/1993)
11/19/1993	79	SECOND DECLARATION of Amitai Schwartz IN SUPPORT OF motion for summary judgment by pltfs on 12/17/93 at 9:00am [74-1] (old) (Entered: 11/19/1993)
11/23/1993		LODGED order for preliminary injunction (old) (Entered: 11/23/1993)
11/23/1993	80	MEMORANDUM OF POINTS AND AUTHORITIES by pltfs Humanistic Alternat in 2:92-cv-00613, Reda Z Sobky in 2:92-cv-00613 in support of motion for summary judgment by pltfs on 12/17/93 at 9:00am [74-1] (old) (Entered: 11/23/1993)
11/23/1993	81	LETTER to court from Joseph O Egan (DAG) re deadline for proposed order for preliminary injunction is extended to 11/22/93 (old) (Entered: 11/24/1993)
11/30/1993		LODGED order (old) (Entered: 12/02/1993)
11/30/1993		LODGED ex parte application for continuance of hrg; declaration of Joseph O Egan; order (old) (Entered: 12/02/1993)
11/30/1993	83	DECLARATION of Joseph O Egan IN SUPPORT OF lodged ex parte application and order for continuance of hearing [0-0] (old) (Entered: 12/02/1993)

12/01/1993	82	ORDER FOR PRELIMINARY INJUNCTION by Honorable David F Levi ORDERING: lodged order [0-0] is GRANTED; dfts are enjoined from violating 42 USC 1396(a)(1); dfts shall submit to pltfs' counsel by 1/11/94 a detailed plan setting dfts' proposed method for implementing paragraph 3 of this order; nothing in this order shall be deemed to require dfts to assure that a licensed methadone maintenance program exists in every county in the state; this order subject to modification; no bond shall be required (cc: all counsel) (old) (Entered: 12/01/1993)
12/06/1993	84	ORDER by Honorable David F Levi ORDERING: lodged order [0-0] is GRANTED; In-court hearing reset to 1/14/94 at 9:00am; hearing set for 12/17/93 is VACATED (cc: all counsel) (old) (Entered: 12/06/1993)
12/09/1993	85	EX PARTE ORDER FOR CONTINUANCE OF HEARING by Honorable David F Levi ORDERING: hrg on mtn for summary judgment set for 12/17/93 at 9:00am is VACATED ; new date to be set by court (cc: all counsel) (old) (Entered: 12/09/1993)
12/21/1993	86	MEMORANDUM OF POINTS AND AUTHORITES/REPLY by dfts Molly Joel Coye, Andrew M Mecca, S Gould IN OPPOSITION TO response to motion for summary judgment by pltfs on 12/17/93 at 9:00am [74-1] (old) (Entered: 12/22/1993)
12/21/1993	87	MEMORANDUM OF POINTS AND AUTHORITIES/REPLY by dfts Molly Joel Coye, Andrew M Mecca, Russell S Gould IN OPPOSITION TO response to motion for summary judgment by pltfs on 12/17/93 at 9:00am [74-1] (old) (Entered: 12/22/1993)
01/05/1994	88	MEMORANDUM by pltfs Humanistic Alternat, Reda Z Sobky in 2:92-cv-00613 IN SUPPORT OF motion for reconsideration of order denying pltfs' mtn for partial summary judgment and order denying preliminary injunction in part by pltfs [72-1] (old) (Entered: 01/07/1994)
01/05/1994	89	MEMORANDUM by pltfs Humanistic Alternat, Reda Z Sobky in 2:92-cv-00613 IN SUPPORT OF motion for summary judgment by pltfs on 12/17/93 at 9:00am [74-1] (old) (Entered: 01/07/1994)
01/11/1994	90	NOTICE by dfts Molly Joel Coye, Andrew M Mecca, Russell S Gould in 2:92-cv-00613 of preliminary injunction implementation plan (old) (Entered: 01/11/1994)
02/11/1994	91	MINUTES of mtn hearing before Honorable David F Levi: that the motion for summary judgment by pltfs on 12/17/93 at 9:00am [74-1] is submitted; order to be prepared by the court C/R: D McKinnon (old) (Entered: 02/14/1994)
02/25/1994	92	PRELIMINARY INJUNCTION IMPLEMENTATION PLAN/BRIEF by dfts Molly Joel Coye, Andrew M Mecca, Russell S Gould in 2:92-cv-00613 (old) (Entered: 02/28/1994)
03/02/1994	93	OBJECTIONS by plaintiffs Humanistic Alternative, Reda Z Sobky to brief [92-1] (old) (Entered: 03/02/1994)
04/18/1994	94	TRANSCRIPT of 2/11/94 mtn for summary judgment (old) (Entered: 04/20/1994)
04/20/1994		LODGED stipulation and order substituting parties in their official capacities (old) (Entered: 04/21/1994)
04/25/1994	95	STIPULATION and ORDER by Honorable David F Levi ORDERING: Sandra R Smoley is substituted in place and stead of Russell S Gould, in her official capacity as Secretary of the CA Health and Welfare Agency; Kimberly Belshe is substituted in place and stead of Molly Joel Coye, in her official capacity of Director of the CA Department of Health Services; all further proceedings in this action shall be titled Sobky, et al v Smoley, et al (cc: all counsel) (old) (Entered: 04/25/1994)
05/19/1994	96	NOTICE OF FIRST QUARTERLY REPORT by dfts Sandra R Smoley, Andrew M Mecca, Kimberly Belshe (old) (Entered: 05/23/1994)
06/14/1994	97	AMENDED MEMORANDUM of DECISION by Honorable David F Levi GRANTING defts motion for summary judgment on pltf's due process; Defts'

		motion to dismiss is granted only as to pltf's "Single State Agency" provision and pltf's motion for summary judgment on that claim is denied; Pltf's motion for summary judgment is also denied as to the claims brought under 42:1396 equal access provision and 42:440.230 regulation requiring service sufficient in amount; Pltf's motion for preliminary injunction is granted on the basis that the State Medicaid plan is not in effect statewide; pltf's motion for summary judgment is granted with respect to the claims 42:1396 comparability and reasonable promptness requirements; Parties shall submit within 21 days of service an order agreeing on precise terms of preliminary injunction; action dismissed (cc: all counsel) (old) (Entered: 06/14/1994)
06/30/1994		LODGED: Stipulation and order extending date for submission of proposed permanent injunction (old) (Entered: 06/30/1994)
07/07/1994	98	STIPULATION AND ORDER by Honorable Lawrence K Karlton EXTENDING date, to and including 7/26/94, in which the parties shall meet and confer and submit a proposed permanent injunction (cc: all counsel) (old) (Entered: 07/07/1994)
07/22/1994		LODGED Stipulation to extend submission date of proposed permanent injunction by pltf's Reda Z Sobky, Humanistic Alternatives, defts Andrew M Mecca Sandra R Smoley, Kimberly Belshe (old) (Entered: 07/25/1994)
07/27/1994	99	STIPULATION AND ORDER by Honorable David F Levi EXTENDING date, to and including 8/9/94, for submission of proposed permanent injunction AND that members of the pltf class, beginning 7/1/94, shall be entitled to the relief set out in the subsequent permanent injunction, and any written plans to implement the injunction (cc: all counsel) (old) (Entered: 07/27/1994)
08/12/1994		LODGED Order for permanent injunction re 42 USC 1396a(a)(8) and (a)(10) by defendants Sandra R Smoley, Andrew M Mecca Kimberly Belshe in 2:92-cv-00613 (old) (Entered: 08/16/1994)
08/22/1994	100	PERMANENT INJUNCTION by Honorable David F Levi ORDERING as follows: Defts and successors are enjoined (1) from violation 42:1396 in provision of methadone (2) from violating 42:1396 in provision of methadone maintenance serviced under the Medi-Cal program (3) to take all practicable steps to assure contracts between counties and the Dept of Alcohol/Drug Programs and direct contracts (4) to provide written notice to all methadone maintenance programs licensed of availability of state hearing AND defts shall submit a detailed plan setting forth defts' proposed method for implementing plan within 30 days of service; within 15 days thereafter, pltf's shall file any objections re proposed plan (cc: all counsel) (old) (Entered: 08/22/1994)
09/08/1994	101	Defendants' SECOND QUARTERLY REPORT (old) (Entered: 09/13/1994)
10/11/1994		LODGED Stipulation and Order extending date for filing objections to state plan implementing injunction by plaintiffs Reda Z Sobky and Humanistic Alternat (old) (Entered: 10/12/1994)
10/14/1994	102	STIPULATION AND ORDER by Honorable David F Levi ORDERING: it is stipulated by and between the parties through their counsel of record that plaintiffs may have through and including 10/28/94 to serve and file objections to the plan if necessary (cc: all counsel) (old) (Entered: 10/14/1994)
10/26/1994		LODGED stipulation and order extending date for filing objections to state plan implementing injunction by defendant's Andrew M Mecca in 2:92-cv-00613, Sandra R Smoley in 2:92-cv-00613, Kimberly Belshe in 2:92-cv-00613 (old) (Entered: 10/27/1994)
10/31/1994	103	STIPULATION AND ORDER by Honorable David F Levi ORDERING that defts shall serve pltf's with proposed revisions to the state plan by 11/7/94 and that pltf's may have to and including 11/14/94 to file objections to the plan (cc: all counsel) (old) (Entered: 10/31/1994)
11/14/1994		LODGED stipulation and order extending date for filing objections to state plan implementing injunction by defendants Sandra R Smoley, Andrew M Mecca, Kimberly Belshe (old) (Entered: 11/16/1994)

11/17/1994	104	ORDER by Honorable David F Levi GRANTING stipulation and order extending date for filing objections to state plain implementing injunction; deft will serve plaintiffs with proposed further revisions to the Plan by 11/16/94, and that plaintiffs may have through and including 11/28/94, to serve and file objections to the Plan; IT IS FURTHER STIPULATED that this document may be executed in counterpart: IT IS SO ORDERED (cc: all counsel) (old) (Entered: 11/17/1994)
11/21/1994	105	NOTICE of submitting Defts' 3rd Quaterly report by defts Sandra R Smoley, Andrew M Mecca, Kimberly Belshi (old) (Entered: 11/23/1994)
11/28/1994	107	DEFERRAL OF OBJECTIONS to plan for assuring the availabilty of medical methadone maintenance treatment service plaintiffs Reda Z Sobky, Humanistic Alternat in 2:92-cv-00613 to [100-1] (old) (Entered: 11/30/1994)
11/29/1994	106	NOTICE of submission of PLAN FOR ASSURING THE AVAILABILITY OF MEDI-CAL METHADONE MAINTENANCE TREATMENT SERVICES by defendant in 2:92-cv-00613 (old) (Entered: 11/30/1994)
01/30/1995		LODGED Judgment by defendants in 2:92-cv-00613 (old) (Entered: 02/01/1995)
01/30/1995		LODGED Stipulation and Order for entry of judgment by defendant in 2:92-cv-00613 (old) (Entered: 02/01/1995)
02/01/1995	108	MOTION to intervene by County of Fresno, Third Floor, Kings of Kings and Comprehension Alcohol Program motion to be heard by Honorable David F Levi (old) (Entered: 02/02/1995)
02/01/1995	109	MEMORANDUM in support of motion to intervene [108-1] (old) (Entered: 02/02/1995)
02/03/1995	110	STIPULATION FOR ORDER AND FOR ENTRY OF JUDGMENT by Honorable David F Levi: plaintiffs' third, fourth, seventh, eighth, ninth, and tenth claims for relief in Sobky vs Smoley and their third, fifth, seventh, eleventh, and twelfth claims for relief in Merritt vs Coye C-92-1905 DFL may be dismissed without prejudice, and said claims are expressed reserved; the preliminary injunction issued 12/1/93 enjoining defendants from violating 42 USC 1396(a)(1) may be modified and made permanent by the attahced judgment; the Court's order for permanent injunction re: 42 USC 1369(a)(8) and (a)(10)(B) may be modified to delete paragraph 4, including Exhibits A and B thereof; the attached judgment is approved as to form (cc: all counsel) (old) (Entered: 02/03/1995)
02/03/1995	111	JUDGMENT by Honorable David F Levi: entered pursuant to the Stipulation and Order issued this date re: plaintiff class consisting of all persons in the State of California eligible for Medi-Cal for whom methadone maintenance treatment is medically necessary or otherwise appropriate; plaintiffs may file a motion for attorneys' fees and costs within 90 days of entry of judgment (cc: all counsel) (old) (Entered: 02/03/1995)
02/06/1995	112	NOTICE of submission of documents of defts' fourth quarterly report by defts Kimberly Belshe, Sandra R Smoley, Andrew Mecca in 2:92-cv-00613 (old) (Entered: 02/09/1995)
02/23/1995	113	PLAINTIFFS MEMORANDUM OF POINTS AND AUTHORITIES in opposition to proposed Intervenor's motion to intervene (old) (Entered: 02/27/1995)
02/23/1995	114	MEMORANDUM OF POINTS AND AUTHORITIES in opposition to motion to intervene by defendants Andrew M Mecca, Sandra R Smoley, Kimberly Belshe (old) (Entered: 02/27/1995)
03/02/1995	115	REPLY BRIEF to response to motion to intervene by County of Fresno, Third Floor, Kings of Kings and Comprehension Alcohol Program [108-1] (old) (Entered: 03/03/1995)
03/02/1995	116	DECLARATION of ERMA PATTERSON in support motion to intervene [108-1] (old) (Entered: 03/03/1995)
03/02/1995	117	DECLARATION of DON Z MILLER in support motion to intervene [108-1] (old) (Entered: 03/03/1995)

03/02/1995	118	DECLARATION of JAMES V KIRBY in support motion to intervene [108-1] (old) (Entered: 03/03/1995)
03/02/1995	119	DECLARATION of CATHERINE E BASHAM in support motion to intervene [108-1] (old) (Entered: 03/03/1995)
03/06/1995	120	ORDER by Honorable David F Levi ORDERING: the court requests that the present plaintiffs and defendants as well as the proposed intervenors submit supplemental briefs addressing this question; the supplemental briefs shall be submitted no later than 4:00pm on 03/13/95; the matter is removed from the 03/09/95 law motion calendar and reset for hearing on 03/24/95 at 9:00am (cc: all counsel) (old) (Entered: 03/06/1995)
03/06/1995	121	DECLARATION of LARRY B POASTER, Phd in support of motion for leave to intervene [108-1] (old) (Entered: 03/08/1995)
03/06/1995	122	DECLARATION of RUDY LOPEZ in support of motion for leave to intervene [108-1] (old) (Entered: 03/08/1995)
03/13/1995	124	SUPPLEMENTA MEMORANDUM OF POINTS AND AUTHORITIES by plaintiff Reda Z Sobky in 2:92-cv-00613 to motion to intervene by County of Fresno, Third Floor, Kings of Kings and Comprehension Alcohol Program [108-1] (old) (Entered: 03/15/1995)
03/14/1995	125	SUPPLEMENTAL BRIEF by proposed intervenors in SUPPORT of motion to intervene [108-1] (old) (Entered: 03/16/1995)
03/15/1995	123	SUPPLEMENTAL BRIEF by defendants 2:92-cv-00613 (old) (Entered: 03/15/1995)
03/16/1995	126	NOTICE of filing of omitted exhibit by proposed intervenors (kb) (Entered: 03/20/1995)
03/16/1995	127	DECLARATION of Al Medina in support of motion for leave to intervene [108-1] (kb) (Entered: 03/20/1995)
03/17/1995		LODGED Stipulation for order and order settling plaintiffs' claim for attorneys' fees and expenses and establishing procedure for submission of additional attorneys' fees claims by defendants 2:92-cv-00613 (kb) (Entered: 03/21/1995)
03/21/1995	128	DECLARATION of Marvin J. Southard DSW in support of motion for leave to intervene [108-1] (kb) (Entered: 03/23/1995)
03/24/1995	130	MINUTES of before Honorable David F Levi denying motion to intervene by County of Fresno, Third Floor, Kings of Kings and Comprehension Alcohol Program [108-1] Court to prepare order C/R D McKinnon (old) (Entered: 03/27/1995)
03/24/1995	131	DECLARATION of Greta Fridlund in SUPPORT of motion for leave to intervene [108-1] (old) (Entered: 03/28/1995)
03/24/1995	132	DECLARATION of Richard Earl Steinberg in SUPPORT of motion for leave to intervene [108-1] (old) (Entered: 03/28/1995)
03/24/1995	133	DECLARATION of Pamela A Stone in SUPPORT of motion for leave to intervene [108-1] (old) (Entered: 03/28/1995)
03/24/1995	134	DECLARATION of Veronica Freeman in SUPPORT of motion for leave to intervene [108-1] (old) (Entered: 03/28/1995)
03/27/1995	129	STIPULATION AND ORDER by Honorable David F. Levi granting stipulation for order and order settling pltf's claim for attorneys' fees and expenses and establishing procedure for submission of additional attorney's fees claims; the court reserves jurisdiction over this matter (cc: all counsel) (old) (Entered: 03/27/1995)
03/27/1995	135	TRANSCRIPT of 3/24/95 hearing on Motion to Intervene before Honorable David F. Levi; C/R Dennis McKinnon (old) (Entered: 03/30/1995)
04/06/1995		LODGED Order setting time to file motion for atty fees by pltf's Reda Z Sobky, Humanistic Alternat (old) (Entered: 04/07/1995)

04/06/1995	136	APPLICATION by pltf's Reda Z Sobky, Humanistic Alternat to set time for filing motion for atty fees (old) (Entered: 04/07/1995)
04/17/1995	137	ORDER by Honorable David F Levi GRANTING logded proposed order setting time to file motion for attorneys' fees [0-0]; ORDERING: pltf's application to set time for filing motion for attorneys' fees against proposed intervenor, County of Fresno [136-1] GRANTED; pltf's shall have 30 days from the date of entry of written denial of proposed intervenor County of Fresno's motion to intervene w/i which to file a motion for attorneys' fees (cc: all counsel) (old) (Entered: 04/17/1995)
04/21/1995	138	ORDER by Honorable David F. Levi ORDERING: the motion to intervene [108-1] is DENIED (cc: all counsel) (kb) (Entered: 04/21/1995)
05/02/1995	139	DEFENDANTS FIFTH quarterly report by defendants Kimberly Belshe, Sandra R Smoley and Andrew M Mecca (old) (Entered: 05/03/1995)
06/05/1995	140	NOTICE OF MOTION for an award of attorney's fees against the County of Fresno by pltf's ; motion to be heard on 7/28/95 at 9:00am by Honorable David F. Levi (kb) Modified on 06/07/1995 (Entered: 06/07/1995)
06/05/1995	141	MEMORANDUM of points and authorities by plaintiff in 2:92-cv-00613 in support of motion for attorneys' fees against the County of Fresno [140-1] (kb) (Entered: 06/07/1995)
06/05/1995	142	DECLARATION of Amitai Schwartz in support of motion for attorneys' fees against the County of Fresno [140-1] (kb) (Entered: 06/07/1995)
07/13/1995	143	RESPONSE: Memorandum of Points and authorities by County of Fresno in opposition to motion for an award of attorney's fees against the County of Fresno by pltf's [140-1] (old) (Entered: 07/17/1995)
07/21/1995	144	PLTS' REPLY Memorandum of points and authorities in support of motion for attorney's fees against the County of Fresno [140-1] (ndd) (Entered: 07/24/1995)
07/21/1995	145	DECLARATION of Amitai Schwartz in support of motion for attorneys' fees against County of Fresno [140-1] (ndd) (Entered: 07/24/1995)
07/27/1995	146	ORDER by Honorable David F. Levi ORDERING that plt's motion for attorney's fees [140-1] is SUBMITTED on the moving papers; the matter is removed from the 7/28/95 law and motion calendar (cc: all counsel) (ndd) (Entered: 07/27/1995)
07/28/1995	147	NOTICE OF DFTS' SIXTH QUARTERLY REPORT by dfts Sandra R Smoley, Andrew M Mecca, Kimberly Belshe (old) (Entered: 07/31/1995)
08/08/1995	148	ORDER by Honorable David F Levi DENYING motion for an award of attorney's fees against the County of Fresno by pltf's [140-1] (cc: all counsel) (old) (Entered: 08/08/1995)
08/08/1995	149	Sur-rebuttal by County of Fresno in opposition to pltf's motion for attorney fees (old) (Entered: 08/09/1995)
11/02/1995	150	NOTICE of SEVENTH QUARTERLY REPORT by defendant Kimberly Belshe in 2:92-cv-00613, defendant Sandra R Smoley in 2:92-cv-00613, defendant M Mecca in 2:92-cv-00613 regarding (old) (Entered: 11/03/1995)
02/09/1996	151	NOTICE of submission of documents by defts Sandra R Smoley, Andrew M Mecca, Kimberly Belshe: Defts' 8th quarterly report (old) (Entered: 02/13/1996)
05/21/1996	152	NOTICE by defendantis submitting ninth quarterly report (old) (Entered: 05/24/1996)
08/21/1996	153	TENTH QUARTERLY REPORT by defendants (old) (Entered: 08/23/1996)
10/15/1996		LODGED stipulation and order by dfts Sandra R Smoley, Andrew M Mecca (kdc) (Entered: 10/16/1996)
10/22/1996	154	STIPULATION AND ORDER by Honorable David F. Levi: the Plan for Assuring the Availability of Medi-Cal Methadone Maintenance Treatment Services filed with the court on 11/29/94 is AMENDED to delete any and all requirements that

		Drug/Medi-Cal contracts be approved by the CA Dept of Finance (cc: all counsel) (old) (Entered: 10/22/1996)
02/18/1997	155	QUARTERLY REPORT by dfts Sandra R Smoley and Andrew M Mecca (dd) (Entered: 02/19/1997)
05/27/1997	156	LETTER to court from counsel for defendants submitting dft's Quarterly Report (January - March 1997) (ch) (Entered: 05/28/1997)
08/13/1997	157	NOTICE regarding quarterly report to the court for April-June 1997 (old) (Entered: 08/15/1997)
06/25/2010	<u>158</u>	ORDER REASSIGNING CASE signed by Chief Judge Anthony W. Ishii on 6/25/2010; this matter is assigned to District Judge John A. Mendez as the president. All future pleadings shall bear the case number 2:92-cv-613 JAM GGH. (Waggoner, D) (Entered: 06/25/2010)