

(MRWx),CLOSED,DISCOVERY,STAYED

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:11-cv-04846-SJO-MRW**

Gregory Valentini et al v. Eric Shinseki et al  
Assigned to: Judge S. James Otero  
Referred to: Magistrate Judge Michael R. Wilner  
Case in other court: 9th CCA, 13-56836  
9th CCA, 13-56842  
9th CCA, 13-56880  
9th CCA, 13-56887

Date Filed: 06/08/2011  
Date Terminated: 08/29/2013  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Defendant

Cause: 28:1331 Federal Question: Other Civil Rights

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*on behalf of themselves and all those  
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V.

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**Mediator (ADR Panel)**

**Gail Killefer**

United States District Court  
 312 N. Spring Street  
 Los Angeles, CA 90012

Date Filed	#	Docket Text
06/08/2011	<u>1</u>	CLASS ACTION COMPLAINT against Defendants Donna M Beiter, Eric Shinseki. Case assigned to Judge S. James Otero for all further proceedings. Discovery referred to Magistrate Judge Michael R Wilner. (Filing fee \$ 350 PAID.), filed by Plaintiffs Chris Romine, Adrian Mararu, Gregory Valentini, Vietnam Veterans of America, Carolina Winston Barrie, Jane Doe.(et) (Additional attachment(s) added on 6/10/2011: # <u>1</u> Notice of Assignment, # <u>2</u> Summons, # <u>3</u> Civil Cover Sheet) (ds). (Entered: 06/08/2011)
06/08/2011		60 DAY Summons Issued re Complaint – (Discovery) <u>1</u> as to Defendants Donna M Beiter, Eric Shinseki. (et) (Entered: 06/08/2011)
06/08/2011	<u>2</u>	NOTICE of Interested Parties filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Adrian Mararu, Chris Romine, Gregory Valentini, Vietnam Veterans of America. (et) (ds). (Entered: 06/08/2011)
06/08/2011	<u>3</u>	NOTICE of Related Case(s) filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Adrian Mararu, Chris Romine, Gregory Valentini, Vietnam Veterans of America. Related Case(s): NO RELATED ACTION. (et) (ds). (Entered: 06/08/2011)
06/08/2011	<u>4</u>	DECLARATION of DAVID B. SAPP in Compliance with Local Rule 7-19.1 filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Adrian Mararu, Chris Romine, Gregory Valentini, Vietnam Veterans of America. (et) (ds). (Entered: 06/08/2011)
06/08/2011	<u>5</u>	PLAINTIFFS NOTICE OF EXPARTE APPLICATION and APPLICATION to file Under Seal; declaration in support of plaintiffs ex parte applice to file under seal filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Adrian Mararu, Chris Romine, Gregory Valentini, Vietnam Veterans of America. Lodged Exparte and Order.(et) (Entered: 06/08/2011)
06/08/2011	<u>6</u>	NOTICE OF FILING FEE DUE on Pro Hac Vice Application mailed to Jonathan Massey for Plaintiffs Carolina Winston Barrie, Jane Doe, Adrian Mararu, Chris Romine, Gregory Valentini, Vietnam Veterans of America. Your Pro Hac Vice application has not been received by the court. Please return your completed Application of Non-Resident Attorney to Appear in a Specific Case, form G-64, or a copy of the Notice of Electronic Filing of your application and the \$275.00 fee and this notice immediately. Out-of-state federal government attorneys who are not employed by the U.S. Department of Justice are required to file a Pro Hac Vice application; no filing fee is required. (et) (Entered: 06/08/2011)
06/08/2011	<u>7</u>	NOTICE OF FILING FEE DUE on Pro Hac Vice Application mailed to Leonard Gail for Plaintiffs Carolina Winston Barrie, Jane Doe, Chris Romine, Gregory Valentini, Vietnam Veterans of America. Your Pro Hac Vice application has not been received by the court. Please return your completed Application of Non-Resident Attorney to Appear in a Specific Case, form G-64, or a copy of the Notice of Electronic Filing of

		your application and the \$275.00 fee and this notice immediately. Out-of-state federal government attorneys who are not employed by the U.S. Department of Justice are required to file a Pro Hac Vice application; no filing fee is required. (et) (Entered: 06/08/2011)
06/09/2011	<u>8</u>	INITIAL STANDING ORDER FOR CASES ASSIGNED TO Judge S. James Otero. Read This Order Carefully. It Controls This Case and Differs in Some Respects From the Local Rules. (See Order for Details). (sch) (Entered: 06/09/2011)
06/09/2011	<u>9</u>	INITIAL STANDING ORDER FOR CASES ASSIGNED TO JUDGE S. JAMES OTERO by Judge S. James Otero (lc) (Entered: 06/09/2011)
06/09/2011	<u>10</u>	SEALED DOCUMENT– Plaintiffs' Notice of EX PARTE APPLICATION and Exparte Application to Proceed Under a Fictitious Name; Declarations in Support of plaintiffs' Exparte Application to Proceed Under a Fictitious Name. (mat) (Entered: 06/13/2011)
06/09/2011	<u>11</u>	SEALED DOCUMENT– Order Granting Plaintiffs' Exparte Application to Proceed Under a Fictitious Name. (mat) (Entered: 06/13/2011)
06/14/2011	<u>12</u>	NOTICE OF LODGING filed re Complaint – (Discovery), Complaint – (Discovery) <u>1</u> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Ulin, John) (Entered: 06/14/2011)
06/21/2011	<u>13</u>	APPLICATION for attorney Jonathan S. Massey to Appear Pro Hac Vice(PHV Fee of \$275 receipt number 0973–8829609 paid.) filed by plaintiffs Carolina Winston Barrie, Jane Doe, Adrian Mararu, Chris Romine, Gregory Valentini, Vietnam Veterans of America. (Attachments: # <u>1</u> Proposed Order on Application of Non–Resident Attorney to Appear in a Specific Case)(Rosenbaum, Mark) (Entered: 06/21/2011)
06/23/2011	<u>14</u>	PROOF OF SERVICE Executed by Plaintiff Chris Romine, Adrian Mararu, Gregory Valentini, Vietnam Veterans of America, Carolina Winston Barrie, Jane Doe, upon Defendant Eric Shinseki served on 6/8/2011, answer due 8/7/2011. Service of the Summons and Complaint were executed upon the United States Attorneys Office by delivering a copy to Pat Myles. Executed upon the Attorney Generals Office of the United States by delivering a copy to Attorney General Eric H. Holder, Jr.. Executed upon the officer agency or corporation by delivering a copy to Eric Ken Shinseki. Service was executed in compliance with Federal Rules of Civil Procedure. Due diligence declaration NOT attached. Registered or certified mail return receipt attached. Original Summons NOT returned. (Attachments: # <u>1</u> Exhibit Exhibits A–C (Proofs of Service))(Ulin, John) (Entered: 06/23/2011)
06/23/2011	<u>15</u>	PROOF OF SERVICE Executed by Plaintiff Chris Romine, Adrian Mararu, Gregory Valentini, Vietnam Veterans of America, Carolina Winston Barrie, Jane Doe, upon Defendant Donna M Beiter served on 6/8/2011, answer due 8/7/2011. Service of the Summons and Complaint were executed upon the United States Attorneys Office by delivering a copy to Pat Myles. Executed upon the Attorney Generals Office of the United States by delivering a copy to Attorney General Eric H. Holder, Jr.. Executed upon the officer agency or corporation by delivering a copy to Donna M. Beiter. Service was executed in compliance with Federal Rules of Civil Procedure. Due diligence declaration NOT attached. Registered or certified mail return receipt attached. Original Summons NOT returned. (Attachments: # <u>1</u> Exhibit Exhibits A–C (Proofs of Service))(Ulin, John) (Entered: 06/23/2011)
06/24/2011	<u>16</u>	MINUTE ORDER (IN CHAMBERS) by Judge S. James Otero. The Court sets a Status Conference on August 29, 2011 at 8:30 a.m. (sch) (Entered: 06/24/2011)
07/20/2011	<u>17</u>	APPLICATION for attorney Leonard Gail to Appear Pro Hac Vice(PHV Fee of \$275 receipt number 0973–8964473 paid.) filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Adrian Mararu, Chris Romine, Gregory Valentini, Vietnam Veterans of America. (Attachments: # <u>1</u> Exhibit Good Standing Certificate, # <u>2</u> Proposed Order on Application of Non–Resident Attorney to Appear)(Rosenbaum, Mark) (Entered: 07/20/2011)
07/20/2011	<u>18</u>	ORDER by Judge S. James Otero: Application to Appear Pro Hac Vice by Attorney Leonard Gail on behalf of Plaintiffs Gregory Valentini, et al, designating Mark Rosenbaum as local counsel <u>17</u> GRANTED. (ir) (Entered: 07/21/2011)

08/05/2011	<u>19</u>	Joint STIPULATION for Extension of Time to File Answer to October 7, 2011 filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Adrian Mararu, Chris Romine, Gregory Valentini, Vietnam Veterans of America. (Attachments: # <u>1</u> Proposed Order)(Ulin, John) (Entered: 08/05/2011)
08/08/2011	<u>20</u>	NOTICE of Appearance filed by attorney Elisabeth Layton on behalf of Defendants Donna M Beiter, Eric Shinseki (Layton, Elisabeth) (Entered: 08/08/2011)
08/08/2011	<u>21</u>	EX PARTE APPLICATION to Continue Status Conference from August 29, 2011 to September 1, 7, 8, 9, or 12, 2011 Re: Minutes of In Chambers Order/Directive – no proceeding held, Set/Reset Hearing <u>16</u> filed by Defendants Eric Shinseki. (Attachments: # <u>1</u> Proposed Order)(Layton, Elisabeth) (Entered: 08/08/2011)
08/09/2011	<u>22</u>	ORDER CONTINUING STATUS CONFERENCE by Judge S. James Otero. Having considered Defendants Ex Parte Application to Continue <u>21</u> , and for good cause shown, that the Status Conference set for 8/29/2011 at 8:30 AM., shall be continued to 9/8/2011 at 8:00 AM. (jp) (Entered: 08/09/2011)
08/09/2011	<u>23</u>	ORDER by Judge S. James Otero, re Stipulation to Vacate <u>19</u> , and for good cause shown, that (1) The Monday, 8/8/2011 deadline for Defendants to answer or otherwise respond to the Complaint is VACATED; (2) Defendants shall answer or otherwise respond to the Amended Complaint on or before Friday, 10/7/2011; (3) The current 9/6/2011 deadline for the filing of Plaintiffs' class certification motion is VACATED; and (4) The parties shall confer and endeavor to agree on a new, mutually satisfactory deadline for the filing of Plaintiffs' class certification motion. The Proposed date will be discussed at the 9/8/2011 conference. (jp) (Entered: 08/10/2011)
08/12/2011	<u>24</u>	FIRST AMENDED CLASS ACTION COMPLAINT against defendants Donna M Beiter, Eric Shinseki; Party Carolina Winston Barrie and Chris Romine terminated amending Complaint – (Discovery)) <u>1</u> ,filed by plaintiffs Gregory Valentini, Vietnam Veterans of America, Jane Doe, Adrian Mararu, Leroy Smith, Jr, Leslie Richardson, Wayne Early, Willie Floyd, Adrian Moraru, Demetrious Kassitas, Zachary Isaac, Lawrence Green (lc) (Entered: 08/15/2011)
08/17/2011	<u>25</u>	NOTICE of Change of Attorney Information for attorney John Michael Rappaport counsel for Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. Adding John M. Rappaport as attorney as counsel of record for Gregory Valentini, Carolina Winston Barrie, Jane Doe, Wayne, Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr., Vietnam Veterans of America for the reason indicated in the G-06 Notice. Filed by Plaintiffs Gregory Valentini, Carolina Winston Barrie, Jane Doe, Wayne, Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr., Vietnam Veterans of America (Rappaport, John) (Entered: 08/17/2011)
09/07/2011	<u>26</u>	Plaintiffs' Status Conference Statement filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America (Ulin, John) (Entered: 09/07/2011)
09/08/2011	<u>27</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Miscellaneous Document, <u>26</u> . The following error(s) was found: Incorrect event selected. The correct event is: status report. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) (Entered: 09/08/2011)
09/08/2011	<u>29</u>	MINUTES OF Status Conference held before Judge S. James Otero:The Court has reviewed the status report. The Court indicates that there are three primary claims, a discrimination claim, misuse of the West Los Angeles campus, and a failure to comply with the administrative procedures act in connection with the land agreements. The Court and confer regarding whether an appointment of guardian is required for plaintiffs and regarding unnamed land–use third parties that may have an interest in

		<p>this litigation. Court and counsel confer regarding settlement of this action. The Court appoints Gail Killefer as settlement officer in this proceeding. Department of Justice (DOJ) counsel advises the Court that there is no named decision-maker at this early stage of the proceedings. Counsel are Ordered to follow directives of Ms. Killefer in terms of a meeting date and what needs to be accomplished going forward in the settlement process. The Court is advised that defendants will file a motion to dismiss rather than an answer to the complaint. Court and counsel confer regarding jurisdictional issues, and whether sovereign immunity has been waived and the ability to grant relief. Plaintiff advises the Court that the relief they are seeking involves permanent and supportive housing as a vehicle to assure that severely disabled veterans who are eligible for Veteran Administrative services get the services that they are entitled. Court and counsel confer whether there are two separate law suits. The Court and counsel confer re commencement of discovery. The Court Denies the plaintiff's motion for expedited discovery. The Court appoints John Ulin as lead counsel for plaintiffs, and Elisabeth Layton as lead counsel for defendants. The Court sets a Status Conference/ Motion to Dismiss hearing date on Monday, November 14, 2011 10:00 a.m; Opposition shall be filed by Friday, October 21, 2011; Reply shall be due by Tuesday, October 25, 2011. Motion shall be filed by Friday, October 7, 2011. Court Recorder: CS: 9/8/11. (lc) (Entered: 09/16/2011)</p>
09/09/2011	<u>28</u>	NOTICE OF ASSIGNMENT of Attorney Settlement Officer. Gail Killefer has been assigned to serve as Attorney Settlement Officer. (mb) (Entered: 09/09/2011)
10/07/2011	<u>30</u>	TRANSCRIPT for proceedings held on 09/08/11 9:10am. Court Reporter/Electronic Court Recorder: Exceptional Reporting Services, Inc., phone number (361)949-2988. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 10/28/2011. Redacted Transcript Deadline set for 11/7/2011. Release of Transcript Restriction set for 1/5/2012. (ml) (Entered: 10/07/2011)
10/07/2011	<u>31</u>	NOTICE OF FILING TRANSCRIPT filed for proceedings 09/08/11 9:10am (ml) (Entered: 10/07/2011)
10/07/2011	<u>32</u>	NOTICE OF MOTION AND MOTION to Dismiss Case filed by Defendants Donna M Beiter, Eric Shinseki. Motion set for hearing on 11/14/2011 at 10:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration Declaration of Elisabeth Layton and Exhibits 1 - 4, # <u>2</u> Proposed Order)(Layton, Elisabeth) (Entered: 10/07/2011)
10/19/2011	<u>33</u>	APPLICATION for attorney Erin Galbally to Appear Pro Hac Vice. (PHV FEE PAID.) filed by movant Metabolic, Studio LLC. (Attachments: # <u>1</u> proposed order)(lc) (Entered: 10/21/2011)
10/19/2011	<u>34</u>	APPLICATION for attorney Richard L Fox to Appear Pro Hac Vice. (PHV FEE PAID.) filed by movant Metabolic, Studio LLC. (Attachments: # <u>1</u> proposed order)(lc) (Entered: 10/21/2011)
10/20/2011	<u>36</u>	ORDER by Judge S. James Otero: granting <u>33</u> Application to Appear Pro Hac Vice by Attorney Erin Galbally on behalf of Movant Metabolic Studio LLC, designating Mark A. Neubauer as local counsel. (lt) (Entered: 10/21/2011)
10/20/2011	<u>37</u>	ORDER by Judge S. James Otero: granting <u>34</u> Application to Appear Pro Hac Vice by Attorney Richard L. Fox on behalf of Movant Metabolic Studio LLC, designating Mark A. Neubauer as local counsel. (lt) (Entered: 10/21/2011)
10/21/2011	<u>35</u>	MEMORANDUM in Opposition to MOTION to Dismiss Case <u>32</u> filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 10/21/2011)
10/21/2011	<u>38</u>	STIPULATION for Leave to file amicus curiae brief in opposition to defendants motion to dismiss filed by movant Metabolic, Studio LLC. (Attachments: # <u>1</u> order)(lc) (Entered: 10/21/2011)

10/21/2011	<u>41</u>	EX PARTE APPLICATION for Leave to participate as amicus curiae and declaration of Joseph Lawrence filed by movant Santa Monica City of. Lodged order.(lc) (Entered: 10/25/2011)
10/21/2011	<u>44</u>	AMICUS CURIAE BRIEF In opposition to motion to dismiss filed filed by Amicus Metabolic, Studio LLC. (Deemed filed as of 10/21/11 Per Order <u>42</u> . (lc) (Entered: 10/27/2011)
10/25/2011	<u>39</u>	NOTICE of Appearance filed by attorney Jennie L Kneedler on behalf of Defendants Donna M Beiter, Eric Shinseki (Kneedler, Jennie) (Entered: 10/25/2011)
10/25/2011	<u>40</u>	REPLY in support of MOTION to Dismiss Case <u>32</u> filed by Defendants Donna M Beiter, Eric Shinseki. (Kneedler, Jennie) (Entered: 10/25/2011)
10/25/2011	<u>42</u>	ORDER by Judge S. James Otero, re Stipulation <u>38</u> that Metabolic Studios Amicus Curiae Brief in opposition to defendants motion to dismiss attached to the stipulation between the parties is hereby deemed filed as of 10/21/11; defendants may file a separate response to that amicus brif at the same time as their current reply which is due on 10/28/11. (lc) (Entered: 10/26/2011)
10/27/2011	<u>43</u>	MINUTE ORDER IN CHAMBERS by Judge S. James Otero:ORDER REQUIRING ADDITIONAL BRIEFING REGARDING MOTION TO DISMISS. On October 7, 2011, Defendants filed a Motion for Dismissal. (Docket No. 32.) Plaintiffs filed anOpposition on October 21, 2011 (Docket No. 35), and Defendants filed a Reply on October 25, 2011 (Docket No. 40). The Court is also in receipt of amicus curiae briefs filed by the City of Santa Monica and Metabolic Studio, LLC.The Court has determined that it would benefit from additional briefing pertaining specifically to the arguments about the creation of a charitable trust. Accordingly, the Court hereby permits the parties to file an additional brief of no more than 10 pages constrained to the following topics:(see document for list).Plaintiffs' and Defendants' briefs on these issues, should they choose to submit them, will be due on November 7, 2011. If the opposing side has filed a brief pursuant to this Order, the adverseparty shall then have an opportunity to file a 5–page response. This response will be dueNovember 14, 2011. The Court also requires Defendants to submit to the Court:(1) a copy of "Section 224" referenced in line 4 of page 5 of Defendants' Memorandum of Points and Authorities in Support of the Motion for Dismissal; and(2) a copy of the "VA GLA Master Plan" referenced on page 6 of Defendants' Memorandum of Points and Authorities in Support of the Motion for Dismissal.The Status Conference/Motion to Dismiss <u>32</u> Hearing date of November 14, 2011 at 10:00 a.m. is hereby vacated and moved to December 5, 2011 at 1:30 p.m. (lc) (Entered: 10/27/2011)
11/01/2011	<u>45</u>	ORDER by Judge S. James Otero: granting <u>13</u> Application to Appear Pro Hac Vice by Attorney Jonathan Massey on behalf of Plaintiffs, designating Mark D. Rosenbaum as local counsel. (lt) (Entered: 11/01/2011)
11/07/2011	<u>46</u>	SUPPLEMENT to MOTION to Dismiss Case <u>32</u> [ <i>Supplemental Brief in Opposition</i> ] filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 11/07/2011)
11/07/2011	<u>47</u>	APPENDIX filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. Re: Supplement(Motion related), Supplement(Motion related) <u>46</u> (Ulin, John) (Entered: 11/07/2011)
11/07/2011	<u>48</u>	NOTICE of Filing filed by Defendants Donna M Beiter, Eric Shinseki. (Attachments: # <u>1</u> Declaration of Elisabeth Layton, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B)(Layton, Elisabeth) (Entered: 11/07/2011)
11/07/2011	<u>49</u>	SUPPLEMENT to MOTION to Dismiss Case <u>32</u> <i>Defendants' Supplemental Memorandum in Support of Their Motion to Dismiss</i> filed by Defendants Donna M Beiter, Eric Shinseki. (McKeever, Kristen) (Entered: 11/07/2011)
11/14/2011	<u>50</u>	RESPONSE filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of

		Americato Supplement(Motion related) <u>49</u> (Ulin, John) (Entered: 11/14/2011)
11/14/2011	<u>51</u>	APPENDIX filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. Re: Response (non-motion), Response (non-motion) <u>50</u> ( <i>Supplemental Appendix of Additional Authorities</i> ) (Ulin, John) (Entered: 11/14/2011)
11/14/2011	<u>52</u>	SUPPLEMENT to MOTION to Dismiss Case <u>32</u> <i>Defendants' Reply to Plaintiffs' Supplemental Brief in Opposition to Defendants' Motion to Dismiss</i> filed by Defendants Donna M Beiter, Eric Shinseki. (McKeever, Kristen) (Entered: 11/14/2011)
11/17/2011	<u>53</u>	NOTICE of Decision: Notice of Ninth Circuit Decision filed by Defendants Eric Shinseki. (Attachments: # <u>1</u> Exhibit)(Layton, Elisabeth) (Entered: 11/17/2011)
11/17/2011	<u>54</u>	REQUEST to Supplement Briefing filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 11/17/2011)
11/18/2011	<u>55</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: REQUEST to Supplement Briefing <u>54</u> . The following error(s) was found: Incorrect document is attached to the docket entry.Incorrect event selected.Proposed Document was not submitted as a separate attachment. Title page is missing. No formal request attached, no formal proposed order submitted with the request. PDF is not a request, but a Letter to the Judge. Local Rule 83.2.11 no communication to the Judge is permitted. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) Modified on 11/18/2011 (lc). (Entered: 11/18/2011)
11/18/2011	<u>56</u>	MINUTES (IN CHAMBERS) by Judge S. James Otero: ORDER PERMITTING ADDITIONAL BRIEFING REGARDING MOTION TO DISMISS The Ninth Circuit has withdrawn its opinion Veterans for Common Sense v. Shinseki, 644 F.3d 845 (9th Cir. 2011) and decided to rehear the appeal en banc. Both Plaintiffs and Defendants cited Veterans for Common Sense in their briefs regarding jurisdiction for the Rehabilitation Act claims. In light of the Ninth Circuit's withdrawal of the opinion, the Court will permit, but not require, additional briefing to address the jurisdictional question for the Rehabilitation Act claims.If they wish, Plaintiffs may file a brief not to exceed five pages on or before Wednesday, November 23, 2011. If Plaintiffs choose to file a brief, Defendants will be permitted but not required to file a brief not to exceed five pages on or before Thursday, December 1, 2011. Both briefs shall be limited to the Court's jurisdiction to hear the Rehabilitation Act claims. (lc) (Entered: 11/18/2011)
11/23/2011	<u>57</u>	SUPPLEMENT to MOTION to Dismiss Case <u>32</u> [ <i>Supplemental Brief in Opposition to Defendants' Motion for Dismissal</i> ] filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 11/23/2011)
11/28/2011	<u>58</u>	MINUTES (IN CHAMBERS): ORDER by Judge S. James Otero. On the Court's own motion, the Court takes the MOTION to Dismiss Case filed by Defendants Donna M Beiter, Eric Shinseki <u>32</u> , set for hearing December 5, 2011, under submission. Additionally, the Status Conference also set for hearing on December 5, 2011, is taken off the Court's calendar to be rescheduled at a later date. (sch) (Entered: 11/28/2011)
12/01/2011	<u>59</u>	RESPONSE IN SUPPORT of MOTION to Dismiss Case <u>32</u> and in response to <i>Plaintiffs' Supplemental Brief</i> filed by Defendants Donna M Beiter, Eric Shinseki. (Bloom, Karen) (Entered: 12/01/2011)
12/02/2011	<u>60</u>	NOTICE of Appearance filed by attorney Karen S Bloom on behalf of Defendants Donna M Beiter, Eric Shinseki (Bloom, Karen) (Entered: 12/02/2011)

12/13/2011	<u>61</u>	ATTORNEY SETTLEMENT OFFICER PROCEEDING REPORT Filed by Attorney Settlement Officer Gail Killefer: Settlement Proceedings were held on October 26, 2011. The proceeding was continued with the consent of all parties and counsel. The rescheduled proceeding will be held on a date certain not later than the time requirements set forth in Local Rule 16-15.2. Any continuance beyond that time must be approved by the trial judge. Attorney Settlement Officer Proceeding Reports will be filed after additional proceedings are complete. Discussions are on going. The parties are unable to reach agreement at this time. (mb) (Entered: 12/13/2011)
03/14/2012	<u>62</u>	NOTICE OF MOTION AND MOTION for Discovery regarding to Open Discovery and Set a Rule 16 Scheduling Conference filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. Motion set for hearing on 4/16/2012 at 10:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Proposed Order)(Ulin, John) (Entered: 03/14/2012)
03/14/2012	<u>63</u>	DECLARATION of David Sapp in support of MOTION for Discovery regarding to Open Discovery and Set a Rule 16 Scheduling Conference <u>62</u> filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 03/14/2012)
03/14/2012	<u>64</u>	DECLARATION of Floyd Summers in support of MOTION for Discovery regarding to Open Discovery and Set a Rule 16 Scheduling Conference <u>62</u> filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 03/14/2012)
03/14/2012	<u>65</u>	DECLARATION of Gregory Valentini in support of MOTION for Discovery regarding to Open Discovery and Set a Rule 16 Scheduling Conference <u>62</u> filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 03/14/2012)
03/14/2012	<u>66</u>	DECLARATION of Leslie Richardson in support of MOTION for Discovery regarding to Open Discovery and Set a Rule 16 Scheduling Conference <u>62</u> filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 03/14/2012)
03/14/2012	<u>67</u>	DECLARATION of Philip F. Mangano in support of MOTION for Discovery regarding to Open Discovery and Set a Rule 16 Scheduling Conference <u>62</u> filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 03/14/2012)
03/14/2012	<u>68</u>	NOTICE OF ERRATA filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. correcting Declaration (Motion related), Declaration (Motion related) <u>67</u> ( <i>Declaration of Philip F. Mangano</i> ) (Ulin, John) (Entered: 03/14/2012)
03/16/2012	<u>69</u>	NOTICE OF ERRATA filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. correcting Declaration (Motion related), Declaration (Motion related) <u>64</u> ( <i>Declaration of Floyd Summers</i> ) (Finsten, James) (Entered: 03/16/2012)

03/16/2012	<u>70</u>	MINUTES (IN CHAMBERS) by Judge S. James Otero: ORDER granting in part and denying in part <u>32</u> defendants Eric Shinseki and Donna M. Beiter's Motion to Dismiss. (1) To the extent Claim One rests on the theory that there is a policy, rule, or regulation that on its face bars veterans with severe mental illness or who take psychotropic medication from obtaining an existing benefit offered by the VA GLA, the Claim is DISMISSED WITH LEAVE TO AMEND; to the extent Claim One rests on the theory that the Government fails to provide permanent supportive housing, the Claim is DISMISSED WITHOUT LEAVE TO AMEND;(2) The Motion is DENIED with respect to Claim Two; (3) Claims Three, Four, and Five are DISMISSED WITHOUT LEAVE TO AMEND; (4) The Motion is DENIED with respect to Claim Six. (lc) (Entered: 03/16/2012)
03/23/2012	<u>71</u>	Notice of Withdrawal of Motion for Discovery, <u>62</u> filed by plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini. (Attachments: # <u>1</u> Proposed Order)(Ulin, John) (Entered: 03/23/2012)
03/23/2012	<u>72</u>	Joint STIPULATION for Extension of Time to File Answer re MOTION for Discovery regarding to Open Discovery and Set a Rule 16 Scheduling Conference <u>62</u> filed by plaintiff Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini. (Attachments: # <u>1</u> Proposed Order)(Ulin, John) (Entered: 03/23/2012)
03/26/2012	<u>73</u>	NOTICE of Appearance filed by attorney David Eric Shapland on behalf of Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America (Shapland, David) (Entered: 03/26/2012)
03/29/2012	<u>74</u>	ORDER that Plaintiffs Motion to Open Discovery and Set a Rule 16 Scheduling Conference <u>62</u> , which had been scheduled for hearing on April 16, 2012, is withdrawn, and the scheduled hearing is taken off calendar by Judge S. James Otero (lc) (Entered: 04/02/2012)
04/10/2012	<u>75</u>	NOTICE of Appearance filed by attorney Karen P Seifert on behalf of Defendants Donna M Beiter, Eric Shinseki (Seifert, Karen) (Entered: 04/10/2012)
04/12/2012	<u>76</u>	JOINT REPORT Rule 26(f) Discovery Plan <i>and Conference of Parties</i> ; estimated length of trial disputed, filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America.. (Shapland, David) (Entered: 04/12/2012)
05/07/2012	<u>77</u>	ANSWER to Amended Complaint, <u>24</u> filed by Defendants Donna M Beiter, Eric Shinseki.(Layton, Elisabeth) (Entered: 05/07/2012)
05/08/2012	<u>78</u>	MINUTE ORDER (IN CHAMBERS) by Judge S. James Otero: Scheduling Conference set for 7/23/2012 at 08:30 AM; Rule 26 Meeting Report due by 7/16/2012; in order to assist counsel, court has included a schedule form for pretrial dates to be completed by counsel and submitted in conjunction with their rule 26(f) report; if case is part of ADR program, counsel must confer and jointly complete ADR Pilot Program Questionnaire and to file it concurrently with the Joint Rule 26(f) report; plaintiff counsel directed to give notice of scheduling conference to all parties. (sch) (Entered: 05/08/2012)
05/14/2012	<u>79</u>	EXPARTE APPLICATION for Extension of Time to File Respond to Discovery Requests filed by Defendants Donna M Beiter, Eric Shinseki. (Attachments: # <u>1</u> Proposed Order)(Bloom, Karen) (Entered: 05/14/2012)
05/15/2012	<u>80</u>	OPPOSITION to EXPARTE APPLICATION for Extension of Time to File Respond to Discovery Requests <u>79</u> filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 05/15/2012)



05/15/2012	<u>81</u>	DECLARATION of Eric Shapland in Opposition to EXPARTE APPLICATION for Extension of Time to File Respond to Discovery Requests <u>79</u> filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Attachments: # <u>1</u> Exhibit A)(Ulin, John) (Entered: 05/15/2012)
05/21/2012	<u>82</u>	MINUTE ORDER (IN CHAMBERS): ORDER GRANTING EX PARTE APPLICATION FOR EXTENSION OF TIME TO RESPOND TO DISCOVERY REQUESTS <u>79</u> by Judge S. James Otero. The Court GRANTS Government's Ex Parte Application for Extension of Time to Respond to Discovery Requests. On May 28, 2012, the Government must either: (1) file a motion for reconsideration; or (2) serve its responses to Plaintiffs' outstanding discovery requests. If the Government chooses to file a motion for reconsideration on May 28, 2012, Plaintiffs' opposition will be due on June 4, 2012, and the Government's reply will be due on June 7, 2012. All future discovery disputes (e.g., motions or ex parte applications to compel, for a protective order, to stay discovery, to lift a stay on discovery, or to extend or shorten time to respond to discovery) shall be directed to the Magistrate Judge. See order for details. (cch) (Entered: 05/21/2012)
05/25/2012	<u>83</u>	NOTICE OF MOTION AND MOTION for Reconsideration re Order on Motion to Dismiss Case,,, <u>70</u> & <i>Suggestion of Lack of Jurisdiction</i> filed by Defendants Donna M Beiter, Eric Shinseki. Motion set for hearing on 6/25/2012 at 10:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration of Karen P. Seifert, # <u>2</u> Proposed Order)(Seifert, Karen) (Entered: 05/25/2012)
06/04/2012	<u>84</u>	OPPOSITION to MOTION for Reconsideration re Order on Motion to Dismiss Case,,, <u>70</u> & <i>Suggestion of Lack of Jurisdiction</i> MOTION for Reconsideration re Order on Motion to Dismiss Case,,, <u>70</u> & <i>Suggestion of Lack of Jurisdiction</i> <u>83</u> filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 06/04/2012)
06/07/2012	<u>85</u>	REPLY in Support of MOTION for Reconsideration re Order on Motion to Dismiss Case,,, <u>70</u> & <i>Suggestion of Lack of Jurisdiction</i> MOTION for Reconsideration re Order on Motion to Dismiss Case,,, <u>70</u> & <i>Suggestion of Lack of Jurisdiction</i> <u>83</u> filed by Defendants Donna M Beiter, Eric Shinseki. (Seifert, Karen) (Entered: 06/07/2012)
06/13/2012	<u>86</u>	MINUTES (IN CHAMBERS): ORDER by Judge S. James Otero. The Court finds this matter suitable for disposition without oral argument and vacates the hearing re the MOTION for Reconsideration re Order on Motion to Dismiss Case,,, <u>70</u> & <i>Suggestion of Lack of Jurisdiction</i> filed by Defendants Donna M Beiter, Eric Shinseki. <u>83</u> , set for June 25, 2012. See Fed. R. Civ. P. 78(b). (sch) (Entered: 06/14/2012)
06/19/2012	<u>87</u>	MINUTES (IN CHAMBERS) by Judge S. James Otero: Court order granting in part and denying in part <u>83</u> Motion for Reconsideration. (1) The Court GRANTS the Motion with respect to the Rehabilitation Act claim and DISMISSES the claim without leave to amend; (2) The Court DENIES the Motion with respect to the Administrative Procedure Act claim. (lc) (Entered: 06/19/2012)
07/16/2012	<u>88</u>	Joint REPORT of Conference of Parties filed by Defendant Eric Shinseki. (Layton, Elisabeth) (Entered: 07/16/2012)
07/17/2012	<u>89</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Report <u>88</u> . The following error(s) was found: Incorrect event selected. The correct event is: Joint Rule 26(f) Discovery Plan. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) (Entered: 07/17/2012)
07/23/2012	<u>90</u>	MINUTES OF Scheduling Conference held before Judge S. James Otero.The Court indicates that the remaining issue is the APA claim. The Court has reviewedthe joint status report. The Court orders that the administrative record shall be filed by Monday, October 22, 2012. A challenge to the record shall be filed by November 22, 2012. The Court sets the following schedule regarding cross-motions for summary judgment:

		Motions shall be filed by Friday, December 21, 2012; Oppositions shall be filed by Friday, January 18, 2013; Replies shall be filed by Friday, January 25, 2013; Hearing will be set if determined necessary by the Court. Trial is set for Monday, March 25, 2013 9:00 a.m. Pretrial Conference is waived.Court Recorder: CS 7/23/12. (lc) (Entered: 07/25/2012)
07/27/2012	<u>91</u>	TRANSCRIPT ORDER for date of proceedings 7/23/12 to 7/23/12 as to defendants Donna M Beiter, Eric Shinseki Court Smart (CS). Transcript portion requested: Other: Scheduling Conference 7/23/12. Category: 14 Day. Transcript preparation will not begin until payment has been satisfied with the court reporter/recorder. (Layton, Elisabeth) (Entered: 07/27/2012)
07/27/2012	<u>92</u>	STIPULATION to Dismiss plaintiff Carolina Winston Barrie filed by plaintiffs Wayne Early, Lawrence Green, Chris Romine, Gregory Valentini, Vietnam Veterans of America, Willie Floyd, Jane Doe, Adrian Mararu, Leslie Richardson, Adrian Moraru, Zachary Isaac, Demetrious Kassitas, Carolina Winston Barrie, Leroy Smith, Jr.(Finsten, James) (Entered: 07/27/2012)
08/07/2012	<u>93</u>	TRANSCRIPT for proceedings held on 7/23/12 8:56 a.m.. Court Reporter/Electronic Court Recorder: HUNTINGTON COURT REPORTERS, phone number (626) 792-7250. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 8/28/2012. Redacted Transcript Deadline set for 9/7/2012. Release of Transcript Restriction set for 11/5/2012. (ha) (Entered: 08/07/2012)
08/07/2012	94	NOTICE OF FILING TRANSCRIPT filed for proceedings 7/23/12 8:56 a.m. re Transcript <u>93</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(ha) TEXT ONLY ENTRY (Entered: 08/07/2012)
09/25/2012	<u>95</u>	NOTICE of Change of Attorney Information for attorney Kristen McKeever counsel for Defendants Donna M Beiter, Eric Shinseki.Kristen L. McKeever is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G-06 Notice. Filed by Defendants Eric Shinseki, et al. (McKeever, Kristen) (Entered: 09/25/2012)
10/22/2012	<u>96</u>	NOTICE OF FILING of Certified Administrative Proceedings filed by Defendants Eric Shinseki. (Attachments: # <u>1</u> AR Part 1, # <u>2</u> AR Part 2, # <u>3</u> AR Part 3, # <u>4</u> AR Part 4, # <u>5</u> AR Part 5, # <u>6</u> AR Part 6, # <u>7</u> AR Part 7, # <u>8</u> AR Part 8, # <u>9</u> AR Part 9, # <u>10</u> AR Part 10, # <u>11</u> AR Part 11, # <u>12</u> AR Part 12, # <u>13</u> AR Part 13, # <u>14</u> AR Part 14, # <u>15</u> AR Part 15, # <u>16</u> AR Part 16, # <u>17</u> AR Part 17, # <u>18</u> AR Part 18, # <u>19</u> AR Part 19, # <u>20</u> AR Part 20, # <u>21</u> AR Part 21, # <u>22</u> AR Part 22)(Seifert, Karen) (Entered: 10/22/2012)
10/25/2012	<u>97</u>	MEDIATION REPORT Filed by Mediator (ADR Panel) Gail Killefer: Mediation held on 7/23/12 through 10/25/12 telephonically. The parties are unable to reach an agreement at this time.(mb) (Entered: 10/25/2012)
11/20/2012	<u>98</u>	NOTICE filed by Defendants Donna M Beiter, Eric Shinseki. (Attachments: # <u>1</u> Supplement AR Supplement Part 1 of 4, # <u>2</u> Supplement AR Supplement Part 2 of 4, # <u>3</u> Supplement AR Supplement Part 3 of 4, # <u>4</u> Supplement AR Supplement Part 4 of 4)(Layton, Elisabeth) (Entered: 11/20/2012)
11/21/2012	<u>99</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Notice (Other) <u>98</u> . The following error(s) was found: Incorrect event selected. The correct event is: Certified Administrative Proceedings (Notice of Filing).. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) (Entered: 11/21/2012)
11/21/2012	<u>100</u>	NOTICE OF MOTION AND MOTION to Supplement the Administrative Record filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. Motion set for hearing on 1/14/2013 at 10:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration of James J. Finsten in Support of Plaintiffs' Motion to Supplement the

		Administrative Record, # <u>2</u> Proposed Order Granting Plaintiffs' Motion to Supplement the Administrative Record)(Ulin, John) (Entered: 11/21/2012)
12/03/2012	<u>101</u>	Joint STIPULATION for Extension of Time to File Summary Judgment Motions filed by Defendants Donna M Beiter, Eric Shinseki. (Attachments: # <u>1</u> Proposed Order)(Seifert, Karen) (Entered: 12/03/2012)
12/05/2012	<u>102</u>	ORDER STAYING SUMMARY JUDGMENT PROCEEDINGS by Judge S. James Otero:Pursuant to the parties stipulation <u>101</u> , the briefing schedule for summary judgment proceedings, entered on July 23, 2012, is hereby STAYED pending resolution of Plaintiffs Motion to Supplement the Administrative Record (ECF No. 100). Within fourteen days of a decision on Plaintiffs Motion, the parties shall submit a report proposing schedules for the remaining proceedings in this matter, including motions for summary judgment. (lc) (Entered: 12/05/2012)
12/21/2012	<u>103</u>	Joint STIPULATION for Extension of Time to File Response as to MOTION to Supplement the Administrative Record <u>100</u> filed by defendants Donna M Beiter, Eric Shinseki. (Attachments: # <u>1</u> Proposed Order)(Layton, Elisabeth) (Entered: 12/21/2012)
12/26/2012	<u>104</u>	MEMORANDUM in Opposition to MOTION to Supplement the Administrative Record <u>100</u> filed by Defendants Donna M Beiter, Eric Shinseki. (Layton, Elisabeth) (Entered: 12/26/2012)
12/31/2012	<u>105</u>	REPLY In Support Of MOTION to Supplement the Administrative Record <u>100</u> filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 12/31/2012)
01/02/2013	<u>106</u>	NOTICE of Change of Attorney Information for attorney John Michael Rappaport counsel for Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. Filed by Plaintiffs John M. Rappaport (Rappaport, John) (Entered: 01/02/2013)
01/02/2013	<u>107</u>	MINUTES (IN CHAMBERS) by Judge S. James Otero: The Court finds the following matter suitable for disposition without oral argument and vacates the hearing on Plaintiff's Motion to Supplement the Administrative Record <u>100</u> set for January 14, 2013. See Fed. R. Civ. P. 78(b). No appearances are necessary. An order will issue. (lc) (Entered: 01/03/2013)
01/22/2013	<u>108</u>	MINUTES (IN CHAMBERS) by Judge S. James Otero: ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS' MOTION TO SUPPLEMENT THE ADMINISTRATIVE RECORD <u>100</u> .On or before February 18, 2013, Defendants must supplement the Administrative Record with all material considered either directly or indirectly in entering all ESAs listed in the Master Plan, including those no longer in effect when the Complaint was filed. Plaintiffs' Motion is DENIED in all other respects. (lc) (Entered: 01/22/2013)
02/05/2013	<u>109</u>	JOINT REPORT of Of Parties Proposing Summary Judgment Briefing Schedule filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America, Defendants Donna M Beiter, Eric Shinseki. (Attachments: # <u>1</u> Proposed Order)(Layton, Elisabeth) (Entered: 02/05/2013)
02/12/2013	<u>110</u>	MINUTE ORDER IN CHAMBERS by Judge S. James Otero:ORDER SETTING SCHEDULE FOR PARTIES' CROSS MOTIONS FOR SUMMARY JUDGMENT <u>109</u> . Upon consideration of the Parties' Joint Report Proposing Summary Judgment Briefing Schedule,the schedule for the parties' cross-motions for summary judgment shall be as follows: 1. Defendants' Motion for Summary Judgment shall be filed on or before April 10, 2013. 2. Plaintiffs' Opposition and Plaintiffs' Cross-Motion for Summary Judgment shall be filed on or before May 10, 2013. 3. Defendants' Reply and Opposition shall be filed on or before June 12, 2013. 4. Plaintiffs' Reply shall be filed on or before June 21, 2013. 5. A hearing date will be set if the Court determines one to be necessary. (lc) (Entered: 02/12/2013)

02/13/2013	<u>111</u>	ORDER SETTING SCHEDULE FOR PARTIES CROSS-MOTIONS FOR SUMMARY JUDGMENT by Judge S. James Otero: Defendants Motion for Summary Judgment shall be filed on or before April 10, 2013. Plaintiffs Opposition thereto and Plaintiffs Cross-Motion for Summary Judgment shall be filed on or before May 10, 2013. Defendants Reply and Opposition shall be filed on or before June 12, 2013. Plaintiffs Reply shall be filed on or before June 21, 2013. A hearing date will be set if determined necessary by the Court. (lc) (Entered: 02/13/2013)
02/19/2013	<u>112</u>	NOTICE OF FILING of Certified Administrative Proceedings filed by Defendants Donna M Beiter, Eric Shinseki. (Attachments: # <u>1</u> 2nd Supp. to AR Part 1 of 6, # <u>2</u> 2nd Supp. to AR Part 2 of 6, # <u>3</u> 2nd Supp. to AR Part 3 of 6, # <u>4</u> 2nd Supp. to AR Part 4 of 6, # <u>5</u> 2nd Supp. to AR Part 5 of 6, # <u>6</u> 2nd Supp. to AR Part 6 of 6)(Layton, Elisabeth) (Entered: 02/19/2013)
04/05/2013	<u>113</u>	APPLICATION to Exceed Page Limitation Memorandum of Points and Authorities in support of Defendants' Motion for Summary Judgment filed by Defendants Donna M Beiter, Eric Shinseki. (Attachments: # <u>1</u> Proposed Order Granting Unopposed Ex Parte Application To Exceed Page Limit)(Layton, Elisabeth) (Entered: 04/05/2013)
04/08/2013	<u>114</u>	ORDER by Judge S. James Otero: granting <u>113</u> Application that for purposes of the Memorandum of Points and Authorities in support of Defendants anticipated Motion for Summary Judgment, the 20-page limit imposed by this Courts Standing Order for Cases Assigned To Judge S. James Otero (ECF No. 9), shall be extended by no more than five (5) pages. Accordingly, Defendants may file a Memorandum of no more than twenty-five (25) pages. (lc) (Entered: 04/09/2013)
04/10/2013	<u>115</u>	NOTICE OF FILING of Certified Administrative Proceedings filed by Defendants Donna M Beiter, Eric Shinseki. (Attachments: # <u>1</u> Supplement to Administrative Record)(Layton, Elisabeth) (Entered: 04/10/2013)
04/10/2013	<u>116</u>	NOTICE OF MOTION AND MOTION for Summary Judgment filed by Defendants Donna M Beiter, Eric Shinseki. (Attachments: # <u>1</u> Declaration of Elisabeth Layton, # <u>2</u> Proposed Order)(Layton, Elisabeth) (Entered: 04/10/2013)
04/11/2013	<u>117</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: MOTION for Summary Judgment <u>116</u> . The following error(s) was found: Missing the Proposed Document Local Rule 56-1 Statement of Uncontroverted Facts which was not submitted as a separate attachment. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) (Entered: 04/11/2013)
05/06/2013	<u>118</u>	EX PARTE APPLICATION for Leave to To File A Single, Combined Memorandum: (A) In Support Of Plaintiffs' Motion For Summary Judgment; And (B) In Opposition To Defendants Cross-Motion For Summary Judgment; Declaration Of James J. Finsten filed by Plaintiffs Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Attachments: # <u>1</u> Proposed Order Granting Plaintiffs' Ex Parte Application to Submit Combined Memorandum in Support of Plaintiffs Motion for Summary Judgment and In Opposition to Defendants' Motion for Summary Judgment)(Ulin, John) (Entered: 05/06/2013)
05/06/2013	<u>119</u>	NOTICE of Errata filed by Plaintiffs Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 05/06/2013)
05/06/2013	<u>120</u>	EX PARTE APPLICATION for Leave to File A Single, Combined Memorandum: (A) In Support Of Plaintiffs Motion For Summary Judgment; And (B) In Opposition To Defendants Cross-Motion For Summary Judgment; Declaration Of James J. Finsten filed by Plaintiffs Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Attachments: # <u>1</u> Proposed Order)(Ulin, John) (Entered: 05/06/2013)

05/07/2013	<u>121</u>	ORDER by Judge S. James Otero: denying <u>118</u> <u>120</u> Ex Parte Application to submit combined memorandum in support of plaintiffs motion for summary judgment and in opposition to defendants motion for summary judgment not to exceed 40 pages. (lc) (Entered: 05/07/2013)
05/08/2013	<u>122</u>	EX PARTE APPLICATION to Exceed Page Limitation for Memorandum of Points and Authorities in Support of Plaintiffs Motion for Summary Judgment; Declaration of James J. Finsten filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini. (Attachments: # <u>1</u> Proposed Order)(Finsten, James) (Entered: 05/08/2013)
05/09/2013	<u>123</u>	ORDER by Judge S. James Otero: granting <u>122</u> Ex Parte Application to Extend the Page Limit for Memorandum of Points and Authorities in Support of Plaintiffs Motion for Summary Judgment.Plaintiffs may file a Memorandum of no more than 25 pages. (lc) (Entered: 05/09/2013)
05/10/2013	<u>124</u>	NOTICE OF MOTION AND MOTION for Summary Judgment as to Administrative Procedure Act Claim filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Attachments: # <u>1</u> Proposed Order)(Ulin, John) (Entered: 05/10/2013)
05/10/2013	<u>125</u>	MEMORANDUM in Opposition to MOTION for Summary Judgment <u>116</u> filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini. (Ulin, John) (Entered: 05/10/2013)
05/13/2013	<u>126</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: MOTION for Summary Judgment as to Administrative Procedure Act Claim <u>124</u> . The following error(s) was found: Proposed Local Rule 56-1 Statement of Uncontroverted Facts lacking and should have been submitted as a separate attachment. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) (Entered: 05/13/2013)
06/12/2013	<u>127</u>	OPPOSITION to MOTION for Summary Judgment as to Administrative Procedure Act Claim <u>124</u> filed by Defendants Donna M Beiter, Eric Shinseki. (Layton, Elisabeth) (Entered: 06/12/2013)
06/12/2013	<u>128</u>	REPLY in support of MOTION for Summary Judgment <u>116</u> filed by Defendants Donna M Beiter, Eric Shinseki. (Layton, Elisabeth) (Entered: 06/12/2013)
06/21/2013	<u>129</u>	REPLY Reply In Support of Motion for Summary Judgment MOTION for Summary Judgment as to Administrative Procedure Act Claim <u>124</u> filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Ulin, John) (Entered: 06/21/2013)
07/01/2013	<u>130</u>	Mail Returned addressed to Karen P Seifert re Notice of Deficiency in Electronically Filed Documents (G-112) <u>126</u> (lc) (Entered: 07/05/2013)
07/09/2013	<u>131</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Alarice M Medrano counsel for Defendants Donna M Beiter, Eric Shinseki. KAREN P. SEIFERT is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by DEFENDANT ERIK SHINSEKI AND DONNA BEITER. (Medrano, Alarice) (Entered: 07/09/2013)
07/25/2013	<u>132</u>	MINUTE ORDER IN CHAMBERS by Judge S. James Otero:The Court sets oral hearing re MOTION for Summary Judgment as to Administrative Procedure Act Claim filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. <u>124</u> on Friday, August 16, 2013 9:00 a.m. (lc) (Entered: 07/26/2013)

08/16/2013	<u>133</u>	TRANSCRIPT ORDER Court Smart (CS). Transcript portion requested: Other: 8/16/13. (ml) (Entered: 08/16/2013)
08/16/2013	<u>134</u>	MINUTES OF MOTIONS FOR SUMMARY JUDGMENT <u>116</u> , <u>124</u> hearing held before Judge S. James Otero. The matter stands submitted. Court Recorder: Margarita Ramirez. (lom) (Entered: 08/16/2013)
08/19/2013	<u>135</u>	TRANSCRIPT for proceedings held on 8/16/2013 9:06 a.m.. Court Reporter/Electronic Court Recorder: Exceptional Reporting Services, Inc., phone number (361) 949-2988. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 9/9/2013. Redacted Transcript Deadline set for 9/19/2013. Release of Transcript Restriction set for 11/17/2013. (mo) (Entered: 08/19/2013)
08/19/2013	136	NOTICE OF FILING TRANSCRIPT filed for proceedings 8/16/2013 9:06 a.m.. re Transcript <u>135</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (mo) TEXT ONLY ENTRY (Entered: 08/19/2013)
08/19/2013	<u>137</u>	TRANSCRIPT ORDER re: Transcript (CV),, <u>135</u> , as to plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America Court Reporter. Court will contact Eric Shapland at eric.shapland@aporter.com with any questions regarding this order. Transcript portion requested: Other: 8/16/2013. Transcript preparation will not begin until payment has been satisfied with the court reporter/recorder. (Shapland, David) (Entered: 08/19/2013)
08/19/2013	138	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Transcript Designation and Ordering Form (G-120),, <u>137</u> . The following error(s) was found: PLEASE SELECT THE COURTSMART OPTION. You must electronically refile the above referenced Request for Transcript in this case to correct this deficiency. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (ha) TEXT ONLY ENTRY (Entered: 08/19/2013)
08/19/2013	<u>139</u>	TRANSCRIPT ORDER re: Transcript (CV),, <u>135</u> , as to plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America Court Smart (CS). Court will contact Eric Shapland at eric.shapland@aporter.com with any questions regarding this order. Transcript portion requested: Other: Hearing on SJM. Transcript preparation will not begin until payment has been satisfied with the court reporter/recorder. (Shapland, David) (Entered: 08/19/2013)
08/20/2013	<u>140</u>	TRANSCRIPT ORDER re: Transcript (CV),, <u>135</u> , as to Defendants Donna M Beiter, Eric Shinseki Court Smart (CS). Transcript portion requested: Other: motion hearing 8/16/13. Transcript preparation will not begin until payment has been satisfied with the court reporter/recorder. (Bloom, Karen) (Entered: 08/20/2013)
08/29/2013	<u>141</u>	ORDER DENYING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT <u>116</u> ; GRANTING IN PART PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT <u>124</u> by Judge S. James Otero. This matter is before the Court on Defendants Eric Shinseki and Donna M. Beiter's (collectively, "Defendants" or the "Government") Motion for Summary Judgment ("Defendants' Motion"), filed April 10, 2013, and Plaintiffs Gregory Valentini, Adrian Moraru, Jane Doe, Wayne Early, Leroy Smith, Jr., Leslie Richardson, Wayne Early, Willie Floyd, Demetrious Kassitas, Zachary Isaac, Lawrence Green, and the Vietnam Veterans of America's (collectively, "Plaintiffs") Motion for Summary Judgment ("Plaintiffs' Motion"), filed May 10, 2013. Plaintiffs and Defendants filed their respective Oppositions on May 10, 2013, and June 12, 2013, and their respective Replies on June 12, 2013, and June 21, 2013. The Court heard oral argument on the matter on August 16, 2013. For the reasons stated in the ORDER, the Court DENIES Defendants' Motion for Summary Judgment <u>116</u> and GRANTS IN PART Plaintiffs' Motion for Summary Judgment <u>124</u> . See ORDER for details. (cch) (Entered: 08/29/2013)

08/29/2013	<u>142</u>	JUDGMENT that the following agreements entered into by the Department of Veterans Affairs (DVA) concerning parcels of land and facilities located on the DVAs West Los Angeles Campus are unauthorized by law and therefore void (SEE DOCUMENT FOR SPECIFIC LIST).The Court STAYS the enforcement of this Judgment with respect to these existing agreements pending the resolution of any appeal from this Judgment, or, if no party appeals this Judgment, for 180 days from the issuance of this Judgment by Judge S. James Otero, (MD JS-6, Case Terminated). (lc) (Entered: 08/29/2013)
09/10/2013	<u>143</u>	NOTICE OF DISCREPANCY AND ORDER: by Judge S. James Otero. The document is NOT to be filed, but instead REJECTED, and is ORDERED returned to counsel (bp) (Entered: 09/10/2013)
09/23/2013	<u>144</u>	NOTICE OF MOTION AND MOTION to Intervene and MOTION to Vacate Judgment <u>142</u> ; memorandum of points and authorities in support thereof; declarations of Kevin Reed and George M Soneff. Motion set for hearing on 10/21/2003 at 10:00 AM before Judge S. James Otero. filed by movant Regents of University of California. (lc) (Additional attachment(s) added on 9/24/2013: # <u>1</u> part 2) (lc). (Main Document 144 replaced on 9/25/2013) (lc). (Attachment 1 replaced on 9/25/2013) (lc). (Entered: 09/23/2013)
09/23/2013	<u>145</u>	CERTIFICATE OF INTERESTED of Interested Parties filed by movant Regents of University of California, (lc) (lc). (Entered: 09/23/2013)
09/26/2013	<u>146</u>	EX PARTE APPLICATION for Order for Granting The Ex Parte Application Of The Regents Of The University Of California For An Order Extending The Time To File A Notice Of Appeal (FRAP Rule 4(a)(5)) filed by Proposed Intervenor Regents of University of California. (Attachments: # <u>1</u> Proposed Order)(Soneff, George) (Entered: 09/26/2013)
09/27/2013	<u>153</u>	NOTICE OF DISCREPANCY AND ORDER: by Judge S. James Otero, Joinder of Brentwood School in Motin to the Regents of University of California by non party Brentwood School received on 9/26/13 not be filed but rejected and returned to counsel : Lacking Notice of interested party, memorandum of points and authorities and not under separate cover. (lc) (Entered: 10/02/2013)
09/30/2013	<u>147</u>	RESPONSE filed by Defendants Donna M Beiter, Eric Shinsekito MOTION to Intervene MOTION to Vacate Judgment,, <u>142</u> <u>144</u> (Layton, Elisabeth) (Entered: 09/30/2013)
09/30/2013	<u>148</u>	NOTICE of Errata filed by defendants Donna M Beiter, Eric Shinseki. (Layton, Elisabeth) (Entered: 09/30/2013)
09/30/2013	<u>149</u>	RESPONSE filed by Defendants Donna M Beiter, Eric Shinsekito MOTION to Intervene MOTION to Vacate Judgment,, <u>142</u> <u>144</u> (Layton, Elisabeth) (Entered: 09/30/2013)
09/30/2013	<u>150</u>	RESPONSE filed by Defendants Donna M Beiter, Eric Shinsekito EX PARTE APPLICATION for Order for Granting The Ex Parte Application Of The Regents Of The University Of California For An Order Extending The Time To File A Notice Of Appeal (FRAP Rule 4(a)(5)) <u>146</u> (Layton, Elisabeth) (Entered: 09/30/2013)
09/30/2013	<u>151</u>	MEMORANDUM in Opposition to MOTION to Intervene MOTION to Vacate Judgment,, <u>142</u> <u>144</u> filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini. (Ulin, John) (Entered: 09/30/2013)
09/30/2013	<u>152</u>	NOTICE OF ERRATA filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini. correcting MEMORANDUM in Opposition to Motion, <u>151</u> <i>Corrected Declaration of Mark Rosenbaum</i> (Ulin, John) (Entered: 09/30/2013)
10/02/2013	<u>154</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE:Beiter and Sinseki Notice (Other) <u>148</u> . The following error(s) was found: Incorrect event selected. The correct event is: errata. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document

		stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lc) (Entered: 10/02/2013)
10/03/2013	<u>155</u>	NOTICE OF MOTION AND MOTION to Intervene and to vacate the judgment under rule 59(e); memorandum of points and authorities in support filed by movant Brentwood School. Motion set for hearing on 11/4/2013 at 10:00 AM before Judge S. James Otero. Lodged order (lc). Added MOTION vacate Judgment on 10/3/2013 (lc). (Additional attachment(s) added on 10/3/2013: # <u>1</u> proposed order) (lc). Modified on 10/3/2013 (lc). (Entered: 10/03/2013)
10/03/2013	<u>156</u>	DECLARATION of Michael Riera PhD in support MOTION to Intervene and to vacate the judgment under Rule 59(e) <u>155</u> filed by Movant Brentwood School. (lc) (Additional attachment(s) added on 10/3/2013: # <u>1</u> part 2) (lc). (Entered: 10/03/2013)
10/03/2013	<u>157</u>	PROOF OF SERVICE filed by movant Brentwood School, re Declaration (Motion related) <u>156</u> , MOTION to Intervene <u>155</u> served on 9/26/13. (lc) (lc). (Entered: 10/03/2013)
10/03/2013	<u>158</u>	CERTIFICATE of Interested Parties filed by movant Brentwood School, identifying Other Affiliate, as Lessee of the Department of Veterans Affairs for Brentwood School. (lc) (lc). (Entered: 10/03/2013)
10/07/2013	<u>159</u>	REPLY in Support of MOTION to Intervene MOTION to Vacate Judgment,, <u>142</u> <u>144</u> filed by Movant Regents of University of California. (Soneff, George) (Entered: 10/07/2013)
10/07/2013	<u>160</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Debra Wong Yang counsel for Movant Brentwood School. Filed by Proposed Intervenor Brentwood School. (Yang, Debra) (Entered: 10/07/2013)
10/10/2013	<u>161</u>	Opposition to the Brentwood School re: MOTION to Intervene MOTION to Set Aside Judgment <u>155</u> filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini. (Ulin, John) (Entered: 10/10/2013)
10/15/2013	<u>162</u>	NOTICE VACATING HEARING ON MOTION by Judge S. James Otero. The Court finds this matter suitable for disposition without oral argument and vacates the hearing re Motion to Intervene and Motion to Vacate Judgment filed by movant Regents of University of California <u>144</u> , set for October 21, 2013. See Fed. R. Civ. P. 78(b). THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vcr) TEXT ONLY ENTRY (Entered: 10/15/2013)
10/21/2013	<u>163</u>	NOTICE VACATING HEARING ON MOTION by Judge S. James Otero. The Court finds this matter suitable for disposition without oral argument and vacates the Hearing MOTION to Intervene and to vacate the judgment under rule 59(e); memorandum of points and authorities in support filed by movant Brentwood School. <u>155</u> , set for November 4, 2013. See Fed. R. Civ. P. 78(b). THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vcr) TEXT ONLY ENTRY (Entered: 10/21/2013)
10/21/2013	<u>164</u>	MINUTES (IN CHAMBERS) by Judge S. James Otero: ORDER GRANTING IN PART AND DENYING IN PART THE REGENTS OF THE UNIVERSITY OF CALIFORNIA'S MOTION (1) FOR LEAVE TO INTERVENE UNDER RULE 24(a)(2); AND (2) TO VACATE THE JUDGMENT UNDER RULE 59(e) <u>144</u> ; GRANTING IN PART AND DENYING IN PART THE BRENTWOOD SCHOOL'S MOTION (1) FOR LEAVE TO INTERVENE UNDER RULE 24(a)(2); AND (2) TO VACATE THE JUDGMENT UNDER RULE 59(e) <u>155</u> ; DENYING AS MOOT THE REGENTS OF THE UNIVERSITY OF CALIFORNIA'S EX PARTE APPLICATION FOR AN ORDER EXTENDING THE TIME TO FILE AN APPEAL <u>146</u> . (lc) (Entered: 10/21/2013)
10/24/2013	<u>165</u>	NOTICE OF APPEAL to the 9th CCA filed by Intervenor-Defendant Regents of University of California. Appeal of Judgment,, <u>142</u> , Order on Motion to Intervene, Order on Motion to Vacate, Order on Ex Parte Application for Order,, Order on Motion to Set Aside Judgment,,,,,, <u>164</u> (Appeal fee of \$455 receipt number



		0973-12883984 paid.) (Attachments: # <u>1</u> Representation Statement)(Soneff, George) (Entered: 10/24/2013)
10/24/2013	<u>167</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 13-56836, 9th CCA regarding Notice of Appeal to 9th Circuit Court of Appeals, <u>165</u> as to Intervenor Regents of University of California. (car) (Entered: 10/28/2013)
10/25/2013	<u>166</u>	NOTICE OF APPEAL to the 9th CCA filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Leslie Richardson, Leroy Smith, Jr, Gregory Valentini. Appeal of Order on Motion to Dismiss Case,, <u>70</u> , Order on Motion for Reconsideration, <u>87</u> (Appeal fee of \$455 receipt number 0973-12891961 paid.) (Ulin, John) (Entered: 10/25/2013)
10/25/2013	<u>171</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 13-56842, 9th CCA regarding Notice of Appeal to 9th Circuit Court of Appeals <u>166</u> as to Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Leslie Richardson, Leroy Smith, Jr, Gregory Valentini. (mat) (Entered: 10/30/2013)
10/28/2013	<u>168</u>	NOTICE OF APPEAL to the 9th CCA filed by Intervenor-Defendant Brentwood School. Appeal of Judgment,, <u>142</u> , Order on Motion to Intervene, Order on Motion to Vacate, Order on Ex Parte Application for Order,, Order on Motion to Set Aside Judgment,,,,,,,,, <u>164</u> (Appeal fee of \$455 receipt number 0973-12896474 paid.) (Attachments: # <u>1</u> Representation Statement)(Floyd, Daniel) (Entered: 10/28/2013)
10/28/2013	<u>169</u>	NOTICE OF APPEAL to the 9th CCA filed by defendants Donna M Beiter, Eric Shinseki. Appeal of Judgment,, <u>142</u> , Order on Motion for Summary Judgment,,,,,,,,, <u>141</u> (Appeal fee FEE WAIVED.) (Attachments: # <u>1</u> Representation Statement)(Layton, Elisabeth) (Entered: 10/28/2013)
10/29/2013	<u>170</u>	FILING FEE LETTER issued as to Defendants Donna M Beiter, Eric Shinseki, re Notice of Appeal to 9th Circuit Court of Appeals <u>169</u> . (dmap) (Entered: 10/29/2013)
11/01/2013	<u>172</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 13-56880, 9th CCA regarding Notice of Appeal to 9th Circuit Court of Appeals, <u>168</u> as to Intervenor Brentwood School. (car) (Entered: 11/04/2013)
11/04/2013	<u>173</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 13-56887 9th CCA regarding Notice of Appeal to 9th Circuit Court of Appeals <u>169</u> as to Plaintiffs Donna M Beiter, Eric Shinseki. (dmap) (Entered: 11/07/2013)
11/25/2013	<u>174</u>	TRANSCRIPT ORDER as to Intervenor-Defendant Regents of University of California Court Reporter. Court will contact George Soneff at GSoneff@Manatt.com with any questions regarding this order. Transcript portion requested: Other: 8/16/2013 (Summary Judgment Hearing); 9/8/2011 (Status Conference). Transcript preparation will not begin until payment has been satisfied with the court reporter/recorder. (Soneff, George) (Entered: 11/25/2013)
11/25/2013	175	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Transcript Designation and Ordering Form (G-120), <u>174</u> . The following error(s) was found: MUST SELECT COURTSMART OPTION(NOT COURT REPORTER OPTION)You must electronically refile the above referenced Request for Transcript in this case to correct this deficiency. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (ha) TEXT ONLY ENTRY (Entered: 11/25/2013)
11/26/2013	<u>176</u>	TRANSCRIPT ORDER as to Intervenor-Defendant Regents of University of California Court Smart (CS). Court will contact George Soneff at GSoneff@Manatt.com with any questions regarding this order. Transcript portion requested: Other: 8/16/2013 (Summary Judgment Hearing); 9/8/2011 (Status Conference).. Transcript preparation will not begin until payment has been satisfied with the court reporter/recorder. (Soneff, George) (Entered: 11/26/2013)
06/12/2014	<u>177</u>	NOTICE of Appearance filed by attorney Hector O Villagra on behalf of Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America (Attorney Hector O Villagra added to party Jane Doe(pty:pla), Attorney Hector O Villagra added to party Wayne Early(pty:pla), Attorney Hector O Villagra added to party Willie Floyd(pty:pla), Attorney Hector O

		Villagra added to party Lawrence Green(pty:pla), Attorney Hector O Villagra added to party Zachary Isaac(pty:pla), Attorney Hector O Villagra added to party Demetrious Kassitas(pty:pla), Attorney Hector O Villagra added to party Adrian Mararu(pty:pla), Attorney Hector O Villagra added to party Adrian Moraru(pty:pla), Attorney Hector O Villagra added to party Leslie Richardson(pty:pla), Attorney Hector O Villagra added to party Leroy Smith, Jr(pty:pla), Attorney Hector O Villagra added to party Gregory Valentini(pty:pla), Attorney Hector O Villagra added to party Vietnam Veterans of America(pty:pla))(Villagra, Hector) (Entered: 06/12/2014)
11/18/2014	<u>178</u>	EX PARTE APPLICATION for Temporary Restraining Order as to Preserve Status Quo Pending Appeal <i>and Mem. of P. &amp; A in support thereof</i> . Ex Parte Application filed by Plaintiffs Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Attachments: # <u>1</u> Declaration of James J. Finsten in support of Plaintiffs' Ex Parte Application, # <u>2</u> Declaration of John C. Ulin in support of Plaintiffs' Ex Parte Application, # <u>3</u> Proposed Order Granting Plaintiffs' Ex Parte Application for TRO to Preserve Status Quo Pending Appeal, # <u>4</u> Proposed Order to Show Cause Why a Preliminary Injunction Should Not Issue)(Ulin, John) (Entered: 11/18/2014)
11/21/2014	<u>179</u>	MINUTES (IN CHAMBERS) by Judge S. James Otero: ORDER DENYING PLAINTIFF'S EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE REPRELIMINARY INJUNCTION TO PRESERVE STATUS QUO PENDING APPEAL. (lc) (Entered: 11/21/2014)
12/15/2014	<u>182</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>166</u> filed by Demetrious Kassitas, Leslie Richardson, Leroy Smith, Jr, Jane Doe, Wayne Early, Adrian Mararu, Zachary Isaac, Willie Floyd, Lawrence Green, Gregory Valentini, Notice of Appeal to 9th Circuit Court of Appeals, <u>165</u> filed by Regents of University of California, Notice of Appeal to 9th Circuit Court of Appeals, <u>169</u> filed by Eric Shinseki, Donna M Beiter, CCA # 13-56836, 13-56842 and 13-56887 and 13-56880. The court sua sponte consolidates appeal Nos. 13-56836, 13-56842, 13-56880, and 13-56887. These appeals are hereby consolidated. The motion is temporarily granted. The Department of Veterans Affairs is temporarily enjoined from continuing construction on the amphitheater until further order of this court. These consolidated appeals are remanded to the district court for the limited purpose of considering the November 24, 2014 motion for an order preserving the status quo pending appeal. Order received in this district on 12/15/14. [See document for all details] (mat) (Entered: 12/17/2014)
12/16/2014	<u>180</u>	NOTICE Notice of Agreed Hearing Date and Lodging of Plaintiffs' November 24, 2014 Emergency Motion for Order Preserving Status Quo Pending Appeal and Related Documents filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. (Attachments: # <u>1</u> Emergency Motion for Order Preserving Status Quo Pending Appeal)(Ulin, John) Modified on 12/18/2014 (lc). SET FOR HEARING ON 1/8/2015 10:00 AM before Judge S. James Otero. Modified on 12/18/2014 (lc). (Entered: 12/16/2014)
12/16/2014	<u>181</u>	EXHIBIT Filed filed by Plaintiffs Carolina Winston Barrie, Jane Doe, Wayne Early, Willie Floyd, Lawrence Green, Zachary Isaac, Demetrious Kassitas, Adrian Mararu, Adrian Moraru, Leslie Richardson, Chris Romine, Leroy Smith, Jr, Gregory Valentini, Vietnam Veterans of America. as to Notice (Other),, <u>180</u> . (Attachments: # <u>1</u> Exh. B Declaration of John Ulin ISO Emergency Motion, # <u>2</u> Exh C Opposition to Emergency Motion, # <u>3</u> Exh D Declaration of Susan Shyshka In Support of Oppposition to Emergency Motion, # <u>4</u> Exh. E Reply in Support of Emergency Motion, # <u>5</u> Exh. F December 15, 2014 Order of 9th Circuit Court of Appeals)(Ulin, John) (Entered: 12/16/2014)
01/08/2015	<u>183</u>	MINUTES OF Motion Hearing held before Judge S. James Otero: RE PLAINTIFFS EMERGENCY MOTION FOR AN ORDER PRESERVING THE STATUS QUO PENDING APPEAL <u>180</u> .Court and counsel confer. Plaintiffs Emergency Motion for an Order Preserving the Status Quo Pending Appeal is granted. The Court makes findings as stated on the record.Court Reporter: Debbie Hino-Spaan. (lc) (Entered: 01/08/2015)

01/08/2015	<u>184</u>	ORDER GRANTING PLAINTIFFS EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER TO PRESERVE STATUS QUO PENDING APPEAL <u>180</u> by Judge S. James Otero: Defendants Robert McDonald, in his official capacity as Secretary of the Department of Veterans Affairs, and Donna Beiter, in her official capacity as Director of VA Greater Los Angeles Healthcare System, are hereby RESTRAINED and ENJOINED from allowing any construction project on the land subject to an Enhanced Sharing Agreement with the Veterans Park Conservancy, including but not limited to the project to build an amphitheater, to proceed, until such time as Plaintiffs Order to Show Cause for a Preliminary Injunction to Preserve Status Quo Pending Appeal may be heard. (lc) (Entered: 01/08/2015)
01/13/2015	<u>185</u>	TRANSCRIPT ORDER re: Order on Ex Parte Application for Order,, Motion Hearing, <u>183</u> , as to Defendants Eric Shinseki Court Reporter. Transcript portion requested: Transcript preparation will not begin until payment has been satisfied with the court reporter/recorder. (Layton, Elisabeth) (Entered: 01/13/2015)
01/23/2015	<u>186</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>165</u> filed by Regents of University of California, Notice of Appeal to 9th Circuit Court of Appeals, <u>168</u> filed by Brentwood School, Notice of Appeal to 9th Circuit Court of Appeals, <u>166</u> filed by Demetrious Kassitas, Leslie Richardson, Leroy Smith, Jr, Jane Doe, Wayne Early, Adrian Mararu, Zachary Isaac, Willie Floyd, Lawrence Green, Gregory Valentini, Notice of Appeal to 9th Circuit Court of Appeals, <u>169</u> filed by Eric Shinseki, Donna M Beiter, CCA # 13-56836, 13-56842 and 13-56887 and 13-56880. The limited remand established by this courts December 15, 2014 order is therefore terminated. The temporary injunction granted in this courts December 15, 2014 order is also terminated as unnecessary. Order received in this district on 1/23/15. See document for all details] (mat) (Entered: 01/26/2015)
01/27/2015	<u>187</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Daniel S Floyd counsel for Intervenor Brentwood School. Alexander M. Fenner is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Intervenor Brentwood School. (Floyd, Daniel) (Entered: 01/27/2015)
01/28/2015	<u>188</u>	NOTICE OF MOTION AND Joint MOTION for Order for Indicative Ruling Pursuant to Fed. R. Civ. P. 62.1 filed by defendants Donna M Beiter, Eric Shinseki. Motion set for hearing on 3/2/2015 at 10:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration of Gary L. Blasi, # <u>2</u> Declaration of Stephen R. Bauman, # <u>3</u> Declaration of Elisabeth Layton, # <u>4</u> Proposed Order)(Layton, Elisabeth) (Entered: 01/28/2015)
02/02/2015	<u>189</u>	ORDER GRANTING JOINT MOTION FOR INDICATIVE RULING PURSUANT TO RULE 62.1 <u>188</u> by Judge S. James Otero. Upon consideration of the Joint Motion By Plaintiffs And Government Defendants For Indicative Ruling Pursuant to Fed. R. Civ. P. 62.1, as to how this Court would rule on a joint motion pursuant to Fed. R. Civ. P. 60(b) to vacate its final judgment and post-judgment injunction to preserve the status quo pending appeal, in the interests of justice the Court states that, should this case be remanded by the Court of Appeals for purposes of ruling on a motion for such vacatur pursuant to Rule 60(b), this Court would grant such a motion and vacate this Court's final judgment in this matter, including the prior rulings dated March 16, 2012; June 19, 2012; August 29, 2013. In addition, this Court would vacate its January 8, 2015 injunction to preserve the status quo pending appeal. IT IS SO ORDERED. (lom) (Entered: 02/02/2015)
02/05/2015	<u>190</u>	TRANSCRIPT for proceedings held on 1/8/2015; 10:22 a.m.; Court Reporter, DEBBIE HINO-SPAAN; E-mail, dhinospaan@yahoo.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 2/26/2015. Redacted Transcript Deadline set for 3/8/2015. Release of Transcript Restriction set for 5/6/2015. (dhs) (Entered: 02/05/2015)
02/05/2015	191	NOTICE OF FILING TRANSCRIPT filed for proceedings 1/8/2015; 10:22 a.m re Transcript <u>190</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (dhs) TEXT ONLY ENTRY (Entered: 02/05/2015)
02/11/2015	<u>192</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>165</u> filed by Regents of University of California, Notice of Appeal to 9th Circuit Court of Appeals, <u>168</u> filed by Brentwood School, Notice of Appeal to 9th Circuit Court of

		Appeals, <u>166</u> filed by Demetrious Kassitas, Leslie Richardson, Leroy Smith, Jr, Jane Doe, Wayne Early, Adrian Mararu, Zachary Isaac, Willie Floyd, Lawrence Green, Gregory Valentini, Notice of Appeal to 9th Circuit Court of Appeals, <u>169</u> filed by Eric Shinseki, Donna M Beiter, CCA # 13-56836, 13-56842, 13-56880 and 13-56887. The unopposed February 5, 2015 joint motion for remand is granted. See Fed. R. App. P. 12.1(b). These consolidated appeals are remanded to the district court for the limited purpose of enabling the district court to consider a joint Federal Rule of Civil Procedure 60(b) motion. Within 60 days after the date of this order or within 7 days after the district courts ruling on the Rule 60(b) motion, whichever occurs first, the parties shall file a report on the status of district court proceedings and motion for appropriate relief. The briefing schedule for these consolidated appeals is stayed pending further order of the court. Order received in this district on 2/11/15. (mat) (Entered: 02/12/2015)
02/13/2015	<u>193</u>	NOTICE OF MOTION AND Joint MOTION for Relief from Final Judgment re USCA Order,,,,, <u>192</u> , Joint MOTION for Order for Indicative Ruling Pursuant to Fed. R. Civ. P. 62.1 <u>188</u> , Order on Motion for Order,,, <u>189</u> filed by government defendants Donna M Beiter, Eric Shinseki. Motion set for hearing on 3/16/2015 at 10:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Proposed Order)(Layton, Elisabeth) (Entered: 02/13/2015)
02/17/2015	<u>194</u>	ORDERED that the Joint Motion To Vacate Judgment Pursuant To Fed. R.Civ. P. 60(b) is hereby GRANTED without prejudice <u>193</u> ; and it is further ORDERED that this Courts final judgment, which includes all rulings and orders that have merged into its final judgment, including but not limited to the orders entered on March 16, 2012; June 19, 2012; and August 29, 2013, is hereby VACATED; and it is further ORDERED that the Courts Injunction Pending Appeal, entered on January 8, 2015, is hereby VACATED by Judge S. James Otero. (lc) (Entered: 02/17/2015)
03/23/2015	<u>195</u>	ORDER from Ninth Circuit Court of Appeals filed re: Notice of Appeal <u>165</u> filed by Regents of University of California, Notice of Appeal <u>168</u> filed by Brentwood School, Notice of Appeal to 9th CCA, <u>166</u> filed by Demetrious Kassitas, Leslie Richardson, Leroy Smith, Jr, Jane Doe, Wayne Early, Adrian Mararu, Zachary Isaac, Willie Floyd, Lawrence Green, Gregory Valentini, Notice of Appeal to 9th Circuit Court of Appeals, <u>169</u> filed by Eric Shinseki, Donna M Beiter. CCA # 13-56836, 13-56842, 13-56880 and 13-56887. The joint motion to dismiss these consolidated appeals as moot is granted. These consolidated appeals are dismissed. See 28 U.S.C. § 1291; Chacon v. Babcock, 640 F.2d 221, 222 (9th Cir. 1981). The parties have agreed that each party will bear its own costs. This order served on the district court shall act as and for the mandate of this court for these consolidated appeals. [See document for all details] (mat) (Entered: 03/25/2015)
03/26/2015	<u>196</u>	Joint STIPULATION to Dismiss Case filed by All Parties Donna M Beiter, Eric Shinseki.(Layton, Elisabeth) (Entered: 03/26/2015)