

(AGRx),CLOSED,DISCOVERY,PROTORD

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:14-cv-08013-FMO-AGR**

Jerry Thomas et al v. Toby Douglas et al
Assigned to: Judge Fernando M. Olguin
Referred to: Magistrate Judge Alicia G. Rosenberg
Cause: 42:12101 Americans With Disabilities Act

Date Filed: 10/16/2014
Date Terminated: 03/19/2018
Jury Demand: Defendant
Nature of Suit: 446 Civil Rights:
Americans with Disabilities – Other
Jurisdiction: Federal Question

Plaintiff

Jerry Thomas
*by and through his guardian ad litem
B.T.*

represented by **Betsy Ellen Havens**
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*TERMINATED: 09/20/2016
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Plaintiff

Arthur Congdon

TERMINATED: 07/07/2015

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TERMINATED: 03/23/2015

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Plaintiff

Sean Benison

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Plaintiff

In Spirit
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Plaintiff

Juan Palomares

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V.

Defendant

Toby Douglas
*Director of the Department of Health
Care Services
TERMINATED: 01/29/2015*

Defendant

**State of California Department of
Health Care Services**

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Defendant

represented by

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Kenneth Kai–Chun Wang
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 TERMINATED: 06/13/2017

Interested Party

United States of America
 United States of America

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V.

Mediator (ADR Panel)

Michael G Balmages

Date Filed	#	Docket Text
10/16/2014		LODGED COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF forwarded to DUTY Magistrate Judge Jacqueline Chooljian. Complaint sought to be filed by Plaintiffs Sean Benison, Arthur Congdon, Jerry Thomas. (et) (Entered: 10/21/2014)
10/16/2014	<u>1</u>	PLAINTIFFS EX PARTE APPLICATION for Appointment of Thomas Jerry as Guardian ad Litem for B.T. filed by Plaintiffs Sean Benison, Arthur Congdon, Jerry Thomas. Lodged Proposed Order. (Attachments: # <u>1</u> Lodged Complaint and Civil Cover Sheet, # <u>2</u> Lodged Memorandum, # <u>3</u> Lodged Notice of Pendency of Other Action or Proceedings). (et) (Entered: 10/21/2014)
10/16/2014	<u>2</u>	MEMORANDUM OF POINTS AND AUTHORITIES in Support of Appointment of Thomas Jerry as Guardian ad Litem for B.T. <u>1</u> filed by Plaintiffs Sean Benison, Arthur Congdon, Jerry Thomas. (et) (Entered: 10/21/2014)
10/16/2014	<u>3</u>	ORDER by Magistrate Judge Jacqueline Chooljian: Granting <u>1</u> Application to Appoint Guardian ad Litem. Appointing Jerry Thomas as Guardian ad Litem for B.T. (et) (Entered: 10/24/2014)

10/23/2014	<u>4</u>	COMPLAINT against Defendants Department of Health Care Services, Toby Douglas. Case assigned to Judge Fernando M. Olguin for all further proceedings. Discovery referred to Magistrate Judge Alicia G. Rosenberg. (Filing fee \$ 400 PAID.), filed by Plaintiffs Jerry Thomas, Arthur Congdon, Sean Benison. (et) [Summons not Issued on 10/23/14]. (rn). (Entered: 10/24/2014)
10/23/2014	<u>5</u>	CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiffs Sean Benison, Arthur Congdon, Jerry Thomas. (et) (rn). (Entered: 10/24/2014)
10/23/2014	<u>6</u>	NOTICE OF PENDENCY OF OTHER ACTION OR PROCEEDINGS filed by Plaintiffs Sean Benison, Arthur Congdon, Jerry Thomas. (et) (rn). (Entered: 10/24/2014)
10/23/2014	<u>7</u>	NOTICE OF ASSIGNMENT to District Judge Fernando M. Olguin and Magistrate Judge Alicia G. Rosenberg. (et) (Entered: 10/24/2014)
10/27/2014	<u>8</u>	TEXT ONLY ENTRY by Chambers of Judge Fernando M. Olguin. This matter has been assigned to District Judge Fernando M. Olguin. All pleadings filed in this matter should contain the case number and the assigned judges' initials to ensure proper routing of documents. The Court refers counsel to the Court's Initial Standing Order found on the Court's Website under Judge Olguin's Procedures and Schedules. Please read this Order carefully. Judge Olguin is a participant of the Central District of California's pilot project for submission and e-filing of under seal documents. Please refer to the judges' procedures and schedules page on the court's website for detailed instructions for submission of sealed documents. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vdr) TEXT ONLY ENTRY (Entered: 10/27/2014)
10/29/2014	<u>9</u>	TEXT ONLY ENTRY: Magistrate Judge Alicia G. Rosenberg is participating in a pilot project regarding the submission of SEALED DOCUMENTS. Effective July 8, 2013, all proposed sealed documents pertaining to discovery matters referred to the magistrate judge must be submitted via e-mail to the Judges Chambers email address at AGR_Chambers@cacd.uscourts.gov. Please refer to the judges procedures and schedules for detailed instructions for submission of sealed documents. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (mp) TEXT ONLY ENTRY (Entered: 10/29/2014)
11/20/2014	<u>10</u>	[THIS DOCUMENT IS HEREBY STRICKEN BY ORDER OF THE COURT <u>13</u>] – APPLICATION for Leave to Proceed In Forma Pauperis filed by plaintiff Jerry Thomas. (Attachments: # <u>1</u> Declaration Declaration of Elissa Gershon RE Request to Proceed in Forma Pauperis, # <u>2</u> Exhibit A – Jerry Thomas IFP Application, # <u>3</u> Exhibit B – Arthur Congdon IFP Application, # <u>4</u> Exhibit C – Sean Benison IFP Application, # <u>5</u> Exhibit D – Declaration of Beverly Thomas, # <u>6</u> Exhibit E – Declaration of Jennifer Knight)(Coelho, Monisha) Modified on 11/25/2014 (jp). (Entered: 11/20/2014)
11/20/2014	<u>11</u>	[THIS DOCUMENT IS HEREBY STRICKEN BY ORDER OF THE COURT <u>13</u>] – APPLICATION for Leave to Proceed In Forma Pauperis filed by plaintiff Arthur Congdon. (Attachments: # <u>1</u> Declaration Declaration of Elissa Gershon RE Request to Proceed in Forma Pauperis, # <u>2</u> Exhibit A – Jerry Thomas IFP Application, # <u>3</u> Exhibit B – Arthur Congdon IFP Application, # <u>4</u> Exhibit C – Sean Benison IFP Application, # <u>5</u> Exhibit D – Declaration of Beverly Thomas, # <u>6</u> Exhibit E – Declaration of Jennifer Knight)(Coelho, Monisha) Modified on 11/25/2014 (jp). (Entered: 11/20/2014)
11/20/2014	<u>12</u>	[THIS DOCUMENT IS HEREBY STRICKEN BY ORDER OF THE COURT <u>13</u>] – APPLICATION for Leave to Proceed In Forma Pauperis filed by plaintiff Sean Benison. (Attachments: # <u>1</u> Declaration Declaration of Elissa Gershon RE Request to Proceed in Forma Pauperis, # <u>2</u> Exhibit A – Jerry Thomas IFP Application, # <u>3</u> Exhibit B – Arthur Congdon IFP Application, # <u>4</u> Exhibit C – Sean Benison IFP Application, # <u>5</u> Exhibit D – Declaration of Beverly Thomas, # <u>6</u> Exhibit E – Declaration of Jennifer Knight)(Coelho, Monisha) Modified on 11/25/2014 (jp). (Entered: 11/20/2014)
11/25/2014	<u>13</u>	ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENT(S) by Judge Fernando M. Olguin: the following document(s) be STRICKEN for failure to comply with the Local Rules, General Order and/or the Courts Case Management Order:

		APPLICATION for Leave to Proceed In Forma Pauperis <u>10</u> , APPLICATION for Leave to Proceed In Forma Pauperis <u>11</u> , APPLICATION for Leave to Proceed In Forma Pauperis <u>12</u> for the following reasons: Counsel may not electronically file Applications for Leave to Proceed in Forma Pauperis. (jp) (Entered: 11/25/2014)
11/26/2014	<u>14</u>	REQUEST TO PROCEED IN FORMA PAUPERIS filed by Plaintiff Jerry Thomas. (kl) (Entered: 12/02/2014)
11/26/2014	<u>15</u>	DECLARATION OF ELISSA GERSHON RE REQUEST TO PROCEED IN FORMA PAUPERIS <u>14</u> filed by Plaintiff Jerry Thomas. (kl) (Entered: 12/02/2014)
11/26/2014	<u>16</u>	REQUEST TO PROCEED IN FORMA PAUPERIS filed by Plaintiff Arthur Congdon. (kl) (Entered: 12/02/2014)
11/26/2014	<u>17</u>	DECLARATION OF ELISSA GERSHON RE REQUEST TO PROCEED IN FORMA PAUPERIS <u>16</u> filed by Plaintiff Arthur Congdon. (kl) (Entered: 12/02/2014)
11/26/2014	<u>18</u>	REQUEST TO PROCEED IN FORMA PAUPERIS filed by Plaintiff Sean Benison. (kl) (Entered: 12/02/2014)
11/26/2014	<u>19</u>	DECLARATION OF ELISSA GERSHON RE REQUEST TO PROCEED IN FORMA PAUPERIS <u>18</u> filed by Plaintiff Sean Benison. (kl) (Entered: 12/02/2014)
12/09/2014	20	TEXT ONLY ENTRY by Chambers of Judge Fernando M. Olguin. The pending Request to Proceed in Forma Pauperis <u>14</u> , <u>16</u> and <u>18</u> are hereby referred to Magistrate Judge Rosenberg for ruling. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vdr) TEXT ONLY ENTRY (Entered: 12/09/2014)
12/16/2014	<u>22</u>	MINUTE ORDER IN CHAMBERS by Magistrate Judge Alicia G. Rosenberg: re: Request for Leave to Proceed In Forma Pauperis <u>14</u> , Request for Leave to Proceed In Forma Pauperis <u>18</u> , Request for Leave to Proceed In Forma Pauperis <u>16</u> . RECOMMENDATIONS RE REQUESTS FOR IN FORMA PAUPERIS STATUS. On November 26, 2014, Plaintiffs filed separate requests to proceed in forma pauperis ("IFP Requests" or "IFP Request"). Based on the above, the court recommends that the IFP Requests for Congdon and Benison be granted. The court recommends that the IFP Request for Thomas be denied. Thomas and his wife's income and assets do not entitle Plaintiff to IFP status. (See Order for details.) (mp) (Entered: 12/18/2014)
12/17/2014		PROPOSED MINUTE ORDER RE REQUESTS FOR IN FORMA PAUPERIS STATUS <u>14</u> , <u>16</u> , <u>18</u> forwarded to the District Judge for review and approval.(mp) (Entered: 12/17/2014)
12/18/2014	<u>21</u>	NOTICE OF CLERICAL ERROR re Text Only Entry – Proposed Minute Order Re Requests For In Forma Pauperis Status. Due to clerical error the docket entry was made erroneously. (mp) (Entered: 12/18/2014)
01/28/2015	<u>23</u>	<i>Amended</i> NOTICE of Interested Parties filed by Plaintiff All Plaintiffs, identifying Jerry Thomas, Arthur Congdon, Sean Benison, IN SPIRIT. (Havens, Betsy) (Entered: 01/28/2015)
01/28/2015	<u>24</u>	Request for Clerk to Issue Summons on Notice (Other) <u>6</u> , Complaint – (Discovery), <u>4</u> , Certificate/Notice of Interested Parties <u>23</u> filed by Plaintiff Sean Benison, Arthur Congdon, Jerry Thomas. (Havens, Betsy) (Entered: 01/28/2015)
01/29/2015	<u>25</u>	<i>2nd Amended</i> CERTIFICATE of Interested Parties filed by Plaintiff All Plaintiffs, (Attachments: # <u>1</u> Supplement List of Interested Parties)(Havens, Betsy) (Entered: 01/29/2015)
01/29/2015	<u>26</u>	FIRST AMENDED COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF AMENDED COMPLAINT against Defendant All Defendants amending Complaint – (Discovery), <u>4</u> , filed by Plaintiff Jerry Thomas, Arthur Congdon, Sean Benison (Gershon, Elissa) (Entered: 01/29/2015)
01/30/2015	<u>27</u>	21 DAY Summons Issued re First Amended Complaint <u>26</u> as to Defendants Jennifer Kent, State of California Department of Health Care Services. (jp) (Entered: 01/30/2015)
02/02/2015	<u>28</u>	MINUTES (IN CHAMBERS) Order Re: Requests for In Forma Pauperis Status by Judge Fernando M. Olguin: Based on the foregoing, IT IS ORDERED THAT

		plaintiffs' Requests to Proceed in Forma Pauperis (Document Nos. <u>14</u> , <u>16</u> & <u>18</u>) are DENIED. (jp) (Entered: 02/02/2015)
02/12/2015	<u>29</u>	PROOF OF SERVICE Executed by Plaintiff Jerry Thomas, Arthur Congdon, Sean Benison, upon Defendant State of California Department of Health Care Services served on 2/2/2015, answer due 2/23/2015. Service of the Summons and Complaint were executed upon Elizabeth Geiger, Legal Analyst in compliance with Federal Rules of Civil Procedure by personal service. Original Summons NOT returned. (Havens, Betsy) (Entered: 02/12/2015)
02/12/2015	<u>30</u>	PROOF OF SERVICE filed by Plaintiff Sean Benison, Arthur Congdon, Jerry Thomas, served on 02/06/2015. (Havens, Betsy) (Entered: 02/12/2015)
02/12/2015	<u>31</u>	PROOF OF SERVICE Executed by Plaintiff Jerry Thomas, Arthur Congdon, Sean Benison, upon Defendant Jennifer Kent served on 2/9/2015, answer due 3/2/2015. Service of the Summons and Complaint were executed upon Ben Doyle, Legal Analyst in compliance with Federal Rules of Civil Procedure by personal service. Original Summons NOT returned. (Havens, Betsy) (Entered: 02/12/2015)
02/20/2015	<u>32</u>	STIPULATION for Extension of Time to File Responsive Pleading as to Amended Complaint/Petition <u>26</u> filed by Defendant Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Proposed Order)(Attorney Kenneth Kai-Chun Wang added to party Jennifer Kent(pty:dft), Attorney Kenneth Kai-Chun Wang added to party State of California Department of Health Care Services(pty:dft))(Wang, Kenneth) (Entered: 02/20/2015)
02/23/2015	<u>33</u>	ORDER EXTENDING THE TIME FOR THE FILING OF THE RESPONSIVE PLEADING by Judge Fernando M. Olguin, re Stipulation <u>32</u> . Defendant California Department of Health Care Services may respond to the First Amended Complaint by 3/2/2015. (vdr) (Entered: 02/23/2015)
02/27/2015	<u>34</u>	STIPULATION Extending Time to Answer the complaint as to Jennifer Kent answer now due 3/23/2015; State of California Department of Health Care Services answer now due 3/23/2015, re Amended Complaint/Petition <u>26</u> filed by Defendants Jennifer Kent; State of California Department of Health Care Services. (Attachments: # <u>1</u> Proposed Order)(Wang, Kenneth) (Entered: 02/27/2015)
02/27/2015	<u>35</u>	ORDER EXTENDING TIME FOR DEFENDANTS' ANSWERS TO THE FIRST AMENDED COMPLAINT by Judge Fernando M. Olguin, re Stipulation <u>34</u> . Defendants California Department of Health Care Services and Director Jennifer Kent are to answer the First Amended Complaint by 3/23/2015. (vdr) (Entered: 02/27/2015)
03/12/2015	<u>36</u>	ORDER SETTING SCHEDULING CONFERENCE by Judge Fernando M. Olguin. Scheduling Conference set for 4/16/2015 at 10:00 AM before Judge Fernando M. Olguin; Rule 26 Meeting Report due by 4/2/2015. (vdr) (Entered: 03/12/2015)
03/23/2015	<u>37</u>	ANSWER to Amended Complaint/Petition <u>26</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services.(Wang, Kenneth) (Entered: 03/23/2015)
03/23/2015	<u>38</u>	(Attorney Anne Hadreas added to party Sean Benison(pty:pla), Attorney Anne Hadreas added to party Arthur Congdon(pty:pla), Attorney Anne Hadreas added to party Jerry Thomas(pty:pla))(Hadreas, Anne) (Entered: 03/23/2015)
03/24/2015	<u>39</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Elissa Staci Gershon counsel for Plaintiffs Sean Benison, Arthur Congdon, Jerry Thomas. Monisha A. Coelho is no longer attorney of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Plaintiff Jerry Thomas, Arthur Congdon, Sean Benison, and In Spirit. (Gershon, Elissa) (Entered: 03/24/2015)
04/02/2015	<u>40</u>	JOINT REPORT Rule 26(f) Discovery Plan ; estimated length of trial 14 days, filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas.. (Gershon, Elissa) (Entered: 04/02/2015)
04/03/2015	<u>41</u>	REQUEST for ADR Procedure No. 2 filled. Parties request to appear before a neutral selected from the court's Mediation Panel for mediation. Filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas(Gershon, Elissa) (Entered: 04/03/2015)

04/09/2015	<u>42</u>	STIPULATION for Extension of Time to File Motion to Strike Defendant's Answer filed by Plaintiff Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. (Attachments: # <u>1</u> Proposed Order)(Gershon, Elissa) (Entered: 04/09/2015)
04/13/2015	<u>43</u>	ORDER EXTENDING TIME FOR PLAINTIFFS' MOTION TO STRIKE DEFENDANTS' ANSWERS (FRCP 12(F)) <u>42</u> by Judge Fernando M. Olguin. The April 13, 2015 date for the filing of Plaintiffs' Motion to Strike Defendants' Answer, in whole or in part, is continued through and including May 13, 2015. IT IS SO ORDERED. (jloz) (Entered: 04/13/2015)
04/13/2015	<u>44</u>	SCHEDULING AND CASE MANAGEMENT ORDER RE: JURY TRIAL by Judge Fernando M. Olguin. The court deems a Scheduling Conference unnecessary and hereby vacates the hearing. Jury Trial set for 4/26/2016 at 8:30 AM; Final Pretrial Conference/Motions in Limine set for 4/8/2016 at 10:00 AM before Judge Fernando M. Olguin. *See order for deadlines and requirements set.* (vdr) (Entered: 04/13/2015)
04/13/2015	<u>45</u>	ORDER RE: SUMMARY JUDGMENT MOTIONS by Judge Fernando M. Olguin. (vdr) (Entered: 04/13/2015)
04/15/2015	<u>46</u>	STIPULATION for Extension of Time to File Prop Order re ESI filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. (Attachments: # <u>1</u> Proposed Order Prop Order Granting Ext. of Time)(Gershon, Elissa) (Entered: 04/15/2015)
04/20/2015	<u>47</u>	ORDER EXTENDING TIME FOR PARTIES PROPOSED ORDER CONCERNING ELECTRONICALLY STORED INFORMATION by Magistrate Judge Alicia G. Rosenberg, re Stipulation for Extension of Time to File <u>46</u> . Good cause having been shown in the Parties' stipulation to extend time for the parties to submit to this Court a proposed order concerning production of Electronically Stored Information, the Court hereby orders as follows: The April 15, 2015 date for the filing of the parties' proposed order concerning production of Electronically Stored Information is continued through and including May 1, 2015. IT IS SO ORDERED. (mp) (Entered: 04/20/2015)
04/24/2015	<u>48</u>	AMENDED ANSWER to Amended Complaint/Petition <u>26</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 04/24/2015)
05/04/2015	<u>49</u>	STIPULATION for Order Re Joint Stipulation re Discovery of Electronically Stored Information filed by Plaintiff Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas.(Gershon, Elissa) (Entered: 05/04/2015)
05/05/2015	<u>50</u>	ORDER RE: DISCOVERY OF ELECTRONICALLY STORED INFORMATION by Magistrate Judge Alicia G. Rosenberg re Stipulation for Order <u>49</u> . IT IS ORDERED that the forgoing Agreement is approved. (See Order for details.) (mp) (Entered: 05/06/2015)
06/11/2015	<u>51</u>	First NOTICE of Appearance filed by attorney Deborah D Gettleman on behalf of Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas (Attorney Deborah D Gettleman added to party Sean Benison(pty:pla), Attorney Deborah D Gettleman added to party Arthur Congdon(pty:pla), Attorney Deborah D Gettleman added to party In Spirit(pty:pla), Attorney Deborah D Gettleman added to party Jerry Thomas(pty:pla))(Gettleman, Deborah) (Entered: 06/11/2015)
06/12/2015	<u>52</u>	NOTICE OF MOTION AND First MOTION to AMEND <i>THE PLEADINGS</i> filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. Motion set for hearing on 7/16/2015 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Exhibit Proposed Second Amended Complaint)(Attorney Anne Hadreas added to party In Spirit(pty:pla))(Hadreas, Anne) (Entered: 06/12/2015)
06/12/2015	<u>53</u>	DECLARATION of ELISSA GERSHON IN SUPPORT OF First MOTION to AMEND <i>THE PLEADINGS</i> <u>52</u> filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A: Redlined Complaint, # <u>2</u> Exhibit B: Chart Explaining Changes)(Hadreas, Anne) (Entered: 06/12/2015)
06/12/2015	<u>54</u>	NOTICE OF MOTION AND First MOTION to AMEND <i>THE PLEADINGS</i> filed by PLAINTIFFS Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. Motion set for hearing on 7/16/2015 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Exhibit [PROPOSED] SECOND AMENDED COMPLAINT, # <u>2</u> Proposed Order

		[PROPOSED] ORDER GRANTING LEAVE TO AMEND)(Hadreas, Anne) (Entered: 06/12/2015)
06/12/2015	<u>55</u>	NOTICE OF ERRATA filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. correcting First MOTION to AMEND <i>THE PLEADINGS</i> <u>52</u> (Hadreas, Anne) (Entered: 06/12/2015)
06/12/2015	<u>56</u>	NOTICE OF MOTION AND First MOTION to AMEND <i>THE PLEADINGS</i> filed by PLAINTIFFS Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. Motion set for hearing on 7/16/2015 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Exhibit A: SECOND AMENDED COMPLAINT, # <u>2</u> Proposed Order GRANTING PLAINTIFFS LEAVE TO AMEND PLEADINGS)(Hadreas, Anne) (Entered: 06/12/2015)
06/12/2015	<u>57</u>	NOTICE OF ERRATA filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. correcting First MOTION to AMEND <i>THE PLEADINGS</i> <u>56 TO REPLACE ECF NOS. 52 & 54</u> (Hadreas, Anne) (Entered: 06/12/2015)
06/12/2015	<u>58</u>	STIPULATION for Extension of Time to File STIPULATION REGARDING SELECTION OF PANEL MEDIATOR filed by Plaintiff Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. (Attachments: # <u>1</u> Proposed Order [PROPOSED] ORDER EXTENDING THE TIME FOR THE FILING OF THE STIPULATION REGARDING SELECTION OF PANEL MEDIATOR)(Havens, Betsy) (Entered: 06/12/2015)
06/15/2015	<u>59</u>	ORDER by Judge Fernando M. Olguin: The Stipulation for Extension of Time to File ADR Selection <u>58</u> is GRANTED. The 6/2/2015 date for the filing of the stipulation regarding selection of the panel mediator is continued through and including 6/19/2015. IT IS SO ORDERED. (cw) (Entered: 06/15/2015)
06/17/2015	<u>60</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Robert D Newman, Jr counsel for Plaintiff Jerry Thomas. Adding Robert D. Newman as counsel of record for Jerry Thomas, by and through Guardian Ad Litem Beverly Thomas, Arthur Congdon, Sean Benison, and In Spirit for the reason indicated in the G-123 Notice. Filed by NOTICE OF APPEARANCE OR WITHDRAWAL OF COUNSEL Robert D. Newman. (Attorney Robert D Newman, Jr added to party Jerry Thomas(pty:pla))(Newman, Robert) (Entered: 06/17/2015)
06/17/2015	<u>61</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Robert D Newman, Jr counsel for Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. Adding Mona Tawatao as counsel of record for Jerry Thomas, by and through Guardian Ad Litem Beverly Thomas, Arthur Congdon, Sean Benison, and In Spirit for the reason indicated in the G-123 Notice. Filed by NOTICE OF APPEARANCE OR WITHDRAWAL OF COUNSEL Mona Tawatao. (Attorney Robert D Newman, Jr added to party Sean Benison(pty:pla), Attorney Robert D Newman, Jr added to party Arthur Congdon(pty:pla), Attorney Robert D Newman, Jr added to party In Spirit(pty:pla))(Newman, Robert) (Entered: 06/17/2015)
06/17/2015	<u>62</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Robert D Newman, Jr counsel for Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. Adding Sue Himmelrich as counsel of record for Jerry Thomas, by and through Guardian Ad Litem Beverly Thomas, Arthur Congdon, Sean Benison, and In Spirit for the reason indicated in the G-123 Notice. Filed by NOTICE OF APPEARANCE OR WITHDRAWAL OF COUNSEL Sue Himmelrich. (Newman, Robert) (Entered: 06/17/2015)
06/19/2015	<u>63</u>	STIPULATION REGARDING SELECTION of Panel Mediator filed. Parties stipulate that Michael Balmages may serve as Panel Mediator. Plaintiff obtained the Panel Mediators consent to serve. Filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas(Gershon, Elissa) (Entered: 06/19/2015)
06/25/2015	<u>64</u>	OPPOSITION to First MOTION to AMEND <i>THE PLEADINGS</i> <u>56</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 06/25/2015)
06/26/2015	<u>65</u>	NOTICE OF ASSIGNMENT of Panel Mediator. Mediator (ADR Panel) Michael Balmages has been assigned to serve as Panel Mediator. (mb) (Entered: 06/26/2015)

07/02/2015	<u>66</u>	REPLY REPLY IN SUPPORT OF MOTION First MOTION to AMEND <i>THE PLEADINGS 56</i> filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. (Hadreas, Anne) (Entered: 07/02/2015)
07/02/2015	<u>67</u>	DECLARATION of MARILYN HOLLE IN SUPPORT OF REPLY TO OPPOSITION OF First MOTION to AMEND <i>THE PLEADINGS 56</i> filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. (Hadreas, Anne) (Entered: 07/02/2015)
07/02/2015	<u>68</u>	DECLARATION of ROBERT D. NEWMAN IN SUPPORT OF REPLY TO OPPOSITION OF First MOTION to AMEND <i>THE PLEADINGS 56</i> filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Jerry Thomas. (Hadreas, Anne) (Entered: 07/02/2015)
07/06/2015	<u>69</u>	ORDER by Judge Fernando M. Olguin, granting MOTION <u>56</u> to Amend. Plaintiffs shall file a Second Amended Complaint no later than two court days from the filing of this Order. Defendants shall file an Answer by 7/21/2015. (vdr) (Entered: 07/06/2015)
07/07/2015	<u>70</u>	SECOND AMENDED COMPLAINT against DEFENDANTS Jennifer Kent, State of California Department of Health Care Services amending Amended Complaint/Petition <u>26</u> , filed by PLAINTIFFS Jerry Thomas, In Spirit, Sean Benison (Gershon, Elissa) (Entered: 07/07/2015)
07/21/2015	<u>71</u>	ANSWER to Amended Complaint/Petition <u>70</u> <i>Answer to the Second Amended Complaint</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services.(Wang, Kenneth) (Entered: 07/21/2015)
08/14/2015	<u>72</u>	NOTICE OF MOTION AND First MOTION for Protective Order for PLAINTIFFS' MEDICAL RECORDS filed by PLAINTIFFS Sean Benison, In Spirit, Juan Palomares, Jerry Thomas. Motion set for hearing on 9/8/2015 at 10:00 AM before Magistrate Judge Alicia G. Rosenberg. (Hadreas, Anne) (Entered: 08/14/2015)
08/14/2015	<u>73</u>	JOINT STIPULATION to First MOTION for Protective Order for PLAINTIFFS' MEDICAL RECORDS <u>72</u> filed by Plaintiffs Sean Benison, In Spirit, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Proposed Order)(Hadreas, Anne) (Entered: 08/14/2015)
08/14/2015	<u>74</u>	DECLARATION of ANNE HADREAS IN SUPPORT OF First MOTION for Protective Order for PLAINTIFFS' MEDICAL RECORDS <u>72</u> filed by Plaintiffs Sean Benison, In Spirit, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Hadreas, Anne) (Entered: 08/14/2015)
08/14/2015	<u>75</u>	DECLARATION of KENNETH WANG REGARDING First MOTION for Protective Order for PLAINTIFFS' MEDICAL RECORDS <u>72</u> filed by Plaintiffs Sean Benison, In Spirit, Juan Palomares, Jerry Thomas. (Hadreas, Anne) (Entered: 08/14/2015)
08/18/2015	<u>76</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Michael Thomas Guitar counsel for Defendant Jennifer Kent. Adding Michael Thomas Guitar as counsel of record for Jennifer Kent; Department of Health Care Services for the reason indicated in the G-123 Notice. Filed by defendant Jennifer Kent; Department of Health Care Services. (Attorney Michael Thomas Guitar added to party Jennifer Kent(pty:dft))(Guitar, Michael) (Entered: 08/18/2015)
08/24/2015	<u>77</u>	SUPPLEMENT to First MOTION for Protective Order for PLAINTIFFS' MEDICAL RECORDS <u>72</u> filed by Plaintiffs Sean Benison, In Spirit, Juan Palomares, Jerry Thomas. (Hadreas, Anne) (Entered: 08/24/2015)
08/24/2015	<u>78</u>	REQUEST FOR JUDICIAL NOTICE re First MOTION for Protective Order for PLAINTIFFS' MEDICAL RECORDS <u>72</u> filed by Plaintiffs Sean Benison, In Spirit, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Hadreas, Anne) (Entered: 08/24/2015)
09/01/2015	<u>79</u>	First EX PARTE APPLICATION for Leave to File Supplemental Briefing <i>and an Order Continuing the Hearing on Plaintiffs' Motion for a Protective Oder or, in the Alternative, Strike Plaintiffs' Supplemental Brief</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Memorandum Memorandum in Support of Ex Parte Application for Leave to File

		Supplemental Briefing, # <u>2</u> Proposed Order Proposed Order in Support of Ex Parte Application, # <u>3</u> Declaration Declaration in Support of Ex Parte Application)(Guitar, Michael) (Entered: 09/01/2015)
09/02/2015	<u>80</u>	OPPOSITION to First EX PARTE APPLICATION for Leave to File Supplemental Briefing <i>and an Order Continuing the Hearing on Plaintiffs' Motion for a Protective Order or, in the Alternative, Strike Plaintiffs' Supplemental Brief</i> <u>79</u> filed by Plaintiffs Sean Benison, In Spirit, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order)(Hadreas, Anne) (Entered: 09/02/2015)
09/03/2015	<u>81</u>	MINUTES (IN CHAMBERS) by Magistrate Judge Alicia G. Rosenberg: denying <u>79</u> Ex Parte Application for Leave. DEFENDANTS' EX PARTE APPLICATION FOR LEAVE TO FILE SUPPLEMENTAL BRIEFING AND AN ORDER CONTINUING THE HEARING ON PLAINTIFF'S MOTION FOR A PROTECTIVE ORDER. Defendants' ex parte application for leave to file supplemental briefing is DENIED WITHOUT PREJUDICE. The court will consider requests for additional briefing at oral argument. Defendants' request to continue the hearing is DENIED. Defendants' alternative motion to strike Plaintiffs' supplemental brief is DENIED. (mp) (Entered: 09/03/2015)
09/08/2015	<u>82</u>	MINUTES OF Discovery Hearing held before Magistrate Judge Alicia G. Rosenberg. PLAINTIFFS' MOTION FOR PROTECTIVE ORDER <u>72</u> . On August 14, 2015, Plaintiffs filed a motion for a qualified protective order. (Dkt. No. 72.) On August 24, 2015, Plaintiffs filed a supplemental memorandum and request for judicial notice. (Dkt. Nos. 77-78.) The Court questions counsel and hears oral arguments as reflected on the record. Unless otherwise ordered, the Court takes the matter under submission. Court Recorder: CS 9/8/2015. (mp) (Entered: 09/09/2015)
09/16/2015	<u>83</u>	Joint STIPULATION to Extend Discovery Cut-Off Date to November 16, 2015 filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Proposed Order)(Wang, Kenneth) (Entered: 09/16/2015)
09/17/2015	<u>84</u>	ORDER RE: STIPULATION <u>83</u> by Judge Fernando M. Olguin. The deadline to complete all fact discovery is continued to 11/16/2015. (vdr) (Entered: 09/17/2015)
09/17/2015	<u>85</u>	MINUTES (IN CHAMBERS)by Magistrate Judge Alicia G. Rosenberg: denying <u>72</u> Motion for Protective Order. PLAINTIFF'S MOTION FOR QUALIFIED PROTECTIVE ORDER. IT IS HEREBY ORDERED that Plaintiffs' motion for protective order is DENIED. The parties are ordered to submit a proposed protective order that permits use of confidential medical information for issues related to a plaintiff's receipt of NF/AH waiver services. (See Order for details.) (mp) (Entered: 09/17/2015)
09/22/2015	<u>86</u>	Joint STIPULATION to Dismiss Plaintiff In Spirit filed by Plaintiff In Spirit. (Attachments: # <u>1</u> Proposed Order Re Dismissal of Plaintiff IN SPIRIT)(Gettleman, Deborah) (Entered: 09/22/2015)
09/23/2015	<u>87</u>	ORDER GRANTING VOLUNTARY DISMISSAL OF PLAINTIFF IN SPIRIT by Judge Fernando M. Olguin, re Stipulation <u>86</u> . (vdr) (Entered: 09/23/2015)
09/24/2015	<u>88</u>	Joint STIPULATION for Protective Order filed by PLAINTIFFS Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Proposed Order)(Hadreas, Anne) (Entered: 09/24/2015)
09/25/2015	<u>89</u>	PROTECTIVE ORDER CONCERNING DISCLOSURE OF INFORMATION FOR NAMED PLAINTIFFS by Magistrate Judge Alicia G. Rosenberg re Stipulation for Protective Order <u>88</u> . Following stipulation between counsel of record for the parties that good cause exists for a protective order, pursuant to 45 C.F.R. Section 164.512 and Local Rule 7-1; and good cause having been shown; IT SO ORDERED with the changes made by the court on the attached order. ***** SEE CHANGES MADE BY THE COURT. **** (mp) (Entered: 09/25/2015)
10/23/2015	<u>90</u>	Joint STIPULATION to Continue the Trial Date and the Final Status Conference and to Extend the Pre-Trial Deadlines from FSC: 4/08/16; Trial 4/26/16 to FSC: 5/06/16; Trial 5/31/16 filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Proposed Order)(Wang, Kenneth) (Entered: 10/23/2015)

10/27/2015	<u>91</u>	ORDER RE: STIPULATION <u>90</u> by Judge Fernando M. Olguin. Jury Trial is continued to 5/31/2016 at 8:15 AM before Judge Fernando M. Olguin. *See order for other continued dates/deadlines.* (vdr) (Entered: 10/27/2015)
11/24/2015	<u>92</u>	Joint STIPULATION to Extend Discovery Cut-Off Date to 1-21-2016 filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Proposed Order)(Gershon, Elissa) (Entered: 11/24/2015)
11/30/2015	<u>93</u>	ORDER RE: STIPULATION <u>92</u> by Judge Fernando M. Olguin. (vdr) (Entered: 11/30/2015)
01/12/2016	<u>94</u>	MEDIATION REPORT Filed by Mediator (ADR Panel) Michael Balmages: Mediation held on August 25, 2015. The parties are unable to reach an agreement at this time.(Killefer, Gail) (Entered: 01/12/2016)
02/12/2016	<u>95</u>	Joint STIPULATION for Extension of Time to File Dispositive Motion filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Proposed Order)(Gershon, Elissa) (Entered: 02/12/2016)
02/16/2016	<u>96</u>	ORDER RE: STIPULATION <u>95</u> by Judge Fernando M. Olguin. Jury Trial continued to 7/12/2016 at 8:15 AM before Judge Fernando M. Olguin. *See order for continued deadlines.* (vdr) (Entered: 02/16/2016)
03/07/2016	<u>97</u>	APPLICATION to file document <i>Attachments to MSJ</i> under seal filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit Protective Order, # <u>2</u> Redacted Document Attachment 51, # <u>3</u> Redacted Document Attachment 52, # <u>4</u> Redacted Document Attachment 55, # <u>5</u> Redacted Document Attachment 60, # <u>6</u> Redacted Document Attachment 61, # <u>7</u> Redacted Document Attachment 100, # <u>8</u> Redacted Document Attachment 101, # <u>9</u> Redacted Document Attachment 102, # <u>10</u> Redacted Document Attachment 103, # <u>11</u> Redacted Document Attachment 103-B, # <u>12</u> Proposed Order Proposed Order)(Havens, Betsy) (Entered: 03/07/2016)
03/07/2016	<u>98</u>	SEALED DECLARATION IN SUPPORT OF APPLICATION to file document <i>Attachments to MSJ</i> under seal <u>97</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Unredacted Document Attachment 1, # <u>2</u> Unredacted Document Attachment 2, # <u>3</u> Unredacted Document Attachment 3, # <u>4</u> Unredacted Document Attachment 4, # <u>5</u> Unredacted Document Attachment 5, # <u>6</u> Unredacted Document Attachment 6, # <u>7</u> Unredacted Document Attachment 7, # <u>8</u> Unredacted Document Attachment 8, # <u>9</u> Unredacted Document Attachment 9, # <u>10</u> Unredacted Document Attachment 10, # <u>11</u> Unredacted Document Attachment 11, # <u>12</u> Unredacted Document Attachment 12, # <u>13</u> Unredacted Document Attachment 13, # <u>14</u> Unredacted Document Attachment 14, # <u>15</u> Unredacted Document Attachment 15, # <u>16</u> Unredacted Document Attachment 16, # <u>17</u> Unredacted Document Attachment 17, # <u>18</u> Unredacted Document Attachment 18, # <u>19</u> Unredacted Document Attachment 19, # <u>20</u> Unredacted Document Attachment 20, # <u>21</u> Unredacted Document Attachment 21, # <u>22</u> Unredacted Document Attachment 22, # <u>23</u> Unredacted Document Attachment 23, # <u>24</u> Unredacted Document Attachment 24, # <u>25</u> Unredacted Document Attachment 25, # <u>26</u> Unredacted Document Attachment 26, # <u>27</u> Unredacted Document Attachment 27, # <u>28</u> Unredacted Document Attachment 28, # <u>29</u> Unredacted Document Attachment 29, # <u>30</u> Unredacted Document Attachment 30, # <u>31</u> Unredacted Document Attachment 31, # <u>32</u> Unredacted Document Attachment 32, # <u>33</u> Unredacted Document Attachment 33, # <u>34</u> Unredacted Document Attachment 34, # <u>35</u> Unredacted Document Attachment 35, # <u>36</u> Unredacted Document Attachment 36, # <u>37</u> Unredacted Document Attachment 37, # <u>38</u> Unredacted Document Attachment 38, # <u>39</u> Unredacted Document Attachment 39, # <u>40</u> Unredacted Document Attachment 40, # <u>41</u> Unredacted Document Attachment 41, # <u>42</u> Unredacted Document Attachment 42, # <u>43</u> Unredacted Document Attachment 43, # <u>44</u> Unredacted Document Attachment 44, # <u>45</u> Unredacted Document Attachment 44-A, # <u>46</u> Unredacted Document Attachment 44-B, # <u>47</u> Unredacted Document Attachment 45, # <u>48</u> Unredacted Document Attachment 46, # <u>49</u> Unredacted Document Attachment 47, # <u>50</u> Unredacted Document Attachment 48, # <u>51</u> Unredacted Document Attachment 49, # <u>52</u> Unredacted Document Attachment 50)(Havens, Betsy) (Entered: 03/07/2016)
03/08/2016	<u>99</u>	NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction filed by Defendants Jennifer Kent, State of California Department of Health Care Services. Motion set for hearing on 4/14/2016 at 10:00 AM before Judge Fernando M. Olguin.

		(Attachments: # <u>1</u> Declaration of Rebecca Schupp, # <u>2</u> Exhibit Part 1, # <u>3</u> Exhibit Part 2, # <u>4</u> Exhibit Part 3, # <u>5</u> Exhibit Part 4, # <u>6</u> Exhibit Part 5) (Wang, Kenneth) (Entered: 03/08/2016)
03/10/2016	<u>100</u>	NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> filed by Plaintiff Sean Benison, Juan Palomares, Jerry Thomas. Motion set for hearing on 4/14/2016 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Proposed Order Proposed Order, # <u>2</u> Proposed Judgment) (Gershon, Elissa) (Entered: 03/10/2016)
03/10/2016	<u>101</u>	MEMORANDUM in Support of NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>100</u> PARTIES JOINT MEMORANDUM OF POINTS AND AUTHORITIES RE: PLAINTIFFS <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED; AND DEFENDANTS OPPOSITION THERETO</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 03/10/2016)
03/10/2016	<u>102</u>	JOINT STATEMENT of UNCONTROVERTED FACTS NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>100</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 03/10/2016)
03/10/2016	<u>103</u>	DECLARATION NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>100</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Table of Contents of Evidentiary Appendix, # <u>2</u> Exhibit Attachment 1 of Evidentiary Appendix, # <u>3</u> Exhibit Attachment 2 of Evidentiary Appendix, # <u>4</u> Exhibit Attachment 3 of Evidentiary Appendix, # <u>5</u> Exhibit Attachment 4 of Evidentiary Appendix, # <u>6</u> Exhibit Attachment 5 of Evidentiary Appendix, # <u>7</u> Exhibit Attachment 6 of Evidentiary Appendix, # <u>8</u> Exhibit Attachment 7 of Evidentiary Appendix, # <u>9</u> Exhibit Attachment 8 of Evidentiary Appendix, # <u>10</u> Exhibit Attachment 9 of Evidentiary Appendix, # <u>11</u> Exhibit Attachment 10 of Evidentiary Appendix, # <u>12</u> Exhibit Attachment 11 of Evidentiary Appendix, # <u>13</u> Exhibit Attachment 12 of Evidentiary Appendix, # <u>14</u> Exhibit Attachment 13 of Evidentiary Appendix, # <u>15</u> Exhibit Attachment 14 of Evidentiary Appendix, # <u>16</u> Exhibit Attachment 15 of Evidentiary Appendix, # <u>17</u> Exhibit Attachment 16 of Evidentiary Appendix, # <u>18</u> Exhibit Attachment 17 of Evidentiary Appendix, # <u>19</u> Exhibit Attachment 18 of Evidentiary Appendix, # <u>20</u> Exhibit Attachment 19 of Evidentiary Appendix, # <u>21</u> Exhibit Attachment 20 of Evidentiary Appendix, # <u>22</u> Exhibit Attachment 21 of Evidentiary Appendix, # <u>23</u> Exhibit Attachment 22 of Evidentiary Appendix, # <u>24</u> Exhibit Attachment 23 of Evidentiary Appendix, # <u>25</u> Exhibit Attachment 24 of Evidentiary Appendix, # <u>26</u> Exhibit Attachment 25 of Evidentiary Appendix, # <u>27</u> Exhibit Attachment 26 of Evidentiary Appendix, # <u>28</u> Exhibit Attachment 27 of Evidentiary Appendix, # <u>29</u> Exhibit Attachment 28 of Evidentiary Appendix, # <u>30</u> Exhibit Attachment 29 of Evidentiary Appendix, # <u>31</u> Exhibit Attachment 30 of Evidentiary Appendix, # <u>32</u> Exhibit Attachment 31 of Evidentiary Appendix, # <u>33</u> Exhibit Attachment 32 of Evidentiary Appendix, # <u>34</u> Exhibit Attachment 33 of Evidentiary Appendix, # <u>35</u> Exhibit Attachment 34 of Evidentiary Appendix, # <u>36</u> Exhibit Attachment 35 of Evidentiary Appendix, # <u>37</u> Exhibit Attachment 36 of Evidentiary Appendix, # <u>38</u> Exhibit Attachment 37 of Evidentiary Appendix, # <u>39</u> Exhibit Attachment 38 of Evidentiary Appendix, # <u>40</u> Exhibit Attachment 39 of Evidentiary Appendix, # <u>41</u> Exhibit Attachment 40 of Evidentiary Appendix, # <u>42</u> Exhibit Attachment 41 of Evidentiary Appendix, # <u>43</u> Exhibit Attachment 42 of Evidentiary Appendix, # <u>44</u> Exhibit Attachment 43 of Evidentiary Appendix, # <u>45</u> Exhibit Attachment 44 of Evidentiary Appendix, # <u>46</u> Exhibit Attachment 44A of Evidentiary Appendix, # <u>47</u> Exhibit

03/10/2016	<u>104</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents Re: Memorandum in Support of Motion for Summary Judgment <u>101</u> . The following error was found: Memorandum exceeds 25 pages which does not comply with L.R. 11-6, or Paragraph 6 of the Order Re: Summary Judgment Motions issued by Judge Fernando M. Olguin at Docket <u>45</u> . 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. (cw) (Entered: 03/11/2016)
03/11/2016	<u>105</u>	NOTICE Notice of Payment of Deposition Costs from the Transcript Reimbursement Fund filed by Plaintiffs Sean Benison, Arthur Congdon, In Spirit, Juan Palomares, Jerry Thomas. (Newman, Robert) (Entered: 03/11/2016)
03/15/2016	<u>106</u>	MINUTES (IN CHAMBERS) RE: APPLICATION <u>97</u> TO FILE UNDER SEAL by Judge Fernando M. Olguin. The application is denied without prejudice. (vdr) (Entered: 03/15/2016)
03/18/2016	<u>107</u>	APPLICATION to file document <i>Attachments to MSJ</i> under seal filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Memorandum Memo of Points And Authorities, # <u>2</u> Proposed Order, # <u>3</u> Exhibit Attachment A: Protective Order, # <u>4</u> Exhibit Attachment B: Chart of Redacted Documents, # <u>5</u> Redacted Document Att. 051 Ash Depo Excerpts REDACTED, # <u>6</u> Redacted Document Att. 052 Baker Depo Excerpts REDACTED, # <u>7</u> Redacted Document Att. 055 Greenwood Depo Excerpts REDACTED, # <u>8</u> Redacted Document Att. 060 Solano Depo Excerpts REDACTED, # <u>9</u> Redacted Document Att. 061 Thomas Depo Excerpts REDACTED, # <u>10</u> Redacted Document Att. 100 Dec. of Sean Benison REDACTED, # <u>11</u> Redacted Document Att. 101 Decl. of Juan Palomares REDACTED, # <u>12</u> Redacted Document Att. 102 Decl. of Beverly Thomas REDACTED, # <u>13</u> Redacted Document Att. 103 Decl. of Linda Oleson REDACTED, # <u>14</u> Redacted Document Att. 103-B Exhibit B to Oleson Decl. ISO MSJ 2-4-16 REDACTED, # <u>15</u> Redacted Document Att. 104 Schupp Decl. REDACTED, # <u>16</u> Redacted Document Att. 134 Campwala Depo Excerpts REDACT, # <u>17</u> Redacted Document Att. 135 Dhamija Depo Excerpts Vol 2 1-28-16 REDACT, # <u>18</u> Redacted Document Att. 136 Pls Exhibit 52 Dhamija Thomas Report 12-3-15 REDACT, # <u>19</u> Redacted Document Att. 137 Defs Exhibit 69 Kripke Expert Report 11-30-15 REDACT, # <u>20</u> Redacted Document Att. 138 Pls Exhibit 70 Dhamija rebuttal expert report 12-28-15 REDACT, # <u>21</u> Redacted Document Att. 139 Defs Amended Designation of Rebuttal Expert Witness REDACT, # <u>22</u> Redacted Document Att. 140 Pls. Ex 30 (Baker) Palomares DHCS Adopted Decision DHCS2645-2657 REDACT, # <u>23</u> Redacted Document Att. 141 Valcarengi Decl and Exhibits REDACTED, # <u>24</u> Redacted Document Att. 142 Thomas Hearing Decision 2015.01.30 JT-002309-002323 REDACT, # <u>25</u> Redacted Document Att. 143 Palomares, E Affidavit re IHSS 2014.04.02 JP-001026-1028 REDACT, # <u>26</u> Redacted Document Att. 144 Palomares, E Affidavit re IHSS 2007.10.04 JP-000922)(Havens, Betsy) (Entered: 03/18/2016)
03/18/2016	<u>108</u>	SEALED DECLARATION IN SUPPORT OF APPLICATION to file document <i>Attachments to MSJ</i> under seal <u>107</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit Att A Doc 089 - Protective Order, # <u>2</u> Unredacted Document Att. 1 Ash Depo Excerpts UNREDACTED, # <u>3</u> Unredacted Document Att. 2 Baker Depo Excerpts UNREDACTED, # <u>4</u> Unredacted Document Att. 3 Campwala Depo Excerpts UNREDACT, # <u>5</u> Unredacted Document Att. 4 Dhamija Depo Excerpts Vol 1 12-8-15, # <u>6</u> Unredacted Document Att. 5 Dhamija Depo Excerpts Vol 2 1-28-16 UNREDACT, # <u>7</u> Unredacted Document Att. 6 Greenwood Depo Excerpts UNREDACTED, # <u>8</u> Unredacted Document Att. 7 Hatch Depo Excerpts, # <u>9</u> Unredacted Document Att. 8 Kayaleh Depo Excerpts, # <u>10</u> Unredacted Document Att. 9 Leberthon Depo Excerpts, # <u>11</u> Unredacted Document Att. 10 Mesipam Depo Excerpts, # <u>12</u> Unredacted Document Att. 11 Shokrae Depo Excerpts, # <u>13</u> Unredacted Document Att. 12 Solano Depo Excerpts UNREDACTED, # <u>14</u> Unredacted Document Att. 13 Thomas Depo Excerpts UNREDACTED, # <u>15</u> Unredacted Document Att. 14 Pls Exhibit 52 Dhamija Thomas Report 12-3-15 UNREDACT, # <u>16</u> Unredacted Document Att. 15 Defs Exhibit 69 Kripke Expert Report 11-30-15 UNREDACT, # <u>17</u> Unredacted Document Att. 16 Pls Exhibit 70 Dhamija rebuttal expert report 12-28-15 UNREDACT, # <u>18</u> Unredacted Document Att. 17 Defs Amended Designation of Rebuttal Expert Witness UNREDACT, # <u>19</u> Unredacted Document Att. 18 Pls. Exhibit 27 (Baker) Palomares IHO Summary 2015.06.22 DHCS2521-2528, # <u>20</u> Unredacted Document Att. 19 Pls. Ex 30 (Baker)

		<p>Palomares DHCS Adopted Decision DHCS2645-2657 UNREDACT, # <u>21</u> Unredacted Document Att. 20 Pls. Ex 31 (Baker) Palomares IHO Menu JP000349-000359, # <u>22</u> Unredacted Document Att. 21 Pls. Ex32 (Baker) Palomares IHO Case Review DHCS2529-2542, # <u>23</u> Unredacted Document Att. 22 Pls. Ex 33 (Baker) Palomares Manual POTJP001052-001074, # <u>24</u> Unredacted Document Att. 23 Pls. Ex 38 (Solano) Benison IHO Case Report SB000319-000338, # <u>25</u> Unredacted Document Att. 24 Pls. Ex 40 (Solano) Benison IHO Case Report 2015.06.04, # <u>26</u> Unredacted Document Att. 25 Pls. Ex 43 (Greenwood) Thomas IHO Case Report 000360-000376, # <u>27</u> Unredacted Document Att. 26 Pls. Ex 45 (Greenwood) 2014.07.31 Ltr from DRC to Walsh, RN JT002336-002495, # <u>28</u> Unredacted Document Att. 27 Pls.Ex 48 (Greenwood) Thomas HHC and PO JT002324-002331, # <u>29</u> Unredacted Document Att. 28 Defs. Ex 03 (Kalayeh) Thomas History and Eval JT-002435-2437, # <u>30</u> Unredacted Document Att. 29 Defs. Ex 12 (Kayaleh) Thomas HHC and POC JT-002324-2331, # <u>31</u> Unredacted Document Att. 30 Defs. Ex 13 (Kayaleh) Kayaleh Ltr to Walsh JT-002338-2342, # <u>32</u> Unredacted Document Att. 31 Defs. Ex 19 (Campwala) Main St Patient Encounter SB000254, # <u>33</u> Unredacted Document Att. 32 Defs. Ex 20 (Campwala) Benison HHC and POC SB000418-420, # <u>34</u> Unredacted Document Att. 33 Defs. Ex 22 (Campwala) Benison POT SB000457-459, # <u>35</u> Unredacted Document Att. 34 Defs. Ex 25 (Campwala) Benison HHC and POC SB000454-456, # <u>36</u> Unredacted Document Att. 35 Defs. Ex 26 (Campwala) Benison HHC and POC DHCS8684-8686, # <u>37</u> Unredacted Document Att. 36 Defs.Ex 27 (Campwala) Benison HHC and POC DHCS8680-8682, # <u>38</u> Unredacted Document Att. 37 Defs. Ex 28 (Campwala) Benison Supplementary Physician Order, # <u>39</u> Unredacted Document Att. 38 Defs. Ex 38 (Mesipam) Benison Request for Order SB000471-472, # <u>40</u> Unredacted Document Att. 39 Defs. Ex 49 (Hatch) CA Self Directed Services SBSLS 000002-000009, # <u>41</u> Unredacted Document Att. 40 Defs.Ex 56 (Ash) Thomas Home Health Cert and POC, # <u>42</u> Unredacted Document Att. 41 Decl. of Sean Benison UNREDACTED, # <u>43</u> Unredacted Document Att. 42 Decl. of Juan Palomares UNREDACTED, # <u>44</u> Unredacted Document Att. 43 Decl. of Beverly Thomas UNREDACTED, # <u>45</u> Unredacted Document Att. 44 Decl. of Linda Oleson ISO Ps MSJ 1-26-16 UNREDACTED, # <u>46</u> Unredacted Document Att. 44-A Exhibit A to Oleson Decl. ISO MSJ 2-4-16, # <u>47</u> Unredacted Document Att. 44-B Exhibit B to Oleson Decl. ISO MSJ 2-4-16 UNREDACTED, # <u>48</u> Unredacted Document Att. 45 Valcarengi Decl and Exhibits UNREDACT, # <u>49</u> Unredacted Document Att. 45.5 Ex. 2 of Decl. of Rebecca Schupp, # <u>50</u> Unredacted Document Att. 46 Kayaleh Dec re Thomas hearing 2014.09.16 000007-000012, # <u>51</u> Unredacted Document Att. 47 Thomas Hearing Decision 2015.01.30 JT-002309-002323 UNREDACT, # <u>52</u> Unredacted Document Att. 48 Palomares, E Affidavit re IHSS 2007.10.04 JP-000922, # <u>53</u> Unredacted Document Att. 49 Palomares, J Affidavit re IHSS 2009.07.13 JP-000941, # <u>54</u> Unredacted Document Att. 50 Palomares, E Affidavit re IHSS 2014.04.02 JP-001026-1028 UNREDACT)(Havens, Betsy) (Entered: 03/18/2016)</p>
03/24/2016	<u>109</u>	<p>OPPOSITION to NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction <u>99</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration, # <u>2</u> Declaration, # <u>3</u> Declaration)(Gershon, Elissa) (Entered: 03/24/2016)</p>
03/24/2016	<u>110</u>	<p>DECLARATION of Elissa Gershon In support of Plaintiffs' Opposition to NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction <u>99</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Gershon, Elissa) (Entered: 03/24/2016)</p>
03/24/2016	<u>111</u>	<p>DECLARATION of Ellen Rollins In support of Plaintiffs' Opposition to NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction <u>99</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Gershon, Elissa) (Entered: 03/24/2016)</p>
03/29/2016	<u>112</u>	<p>STATEMENT of Interest of the United States of America NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>100</u> filed by Interested Party United States of America. (Attorney Mathew S Schutzer added to party United States of America(pty:ip))(Schutzer, Mathew) (Entered: 03/29/2016)</p>

03/30/2016	<u>113</u>	JOINT STATEMENT of PARTIES STATEMENT OF UNCONTROVERTED FACTS NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Havens, Betsy) (Entered: 03/30/2016)
03/30/2016	<u>114</u>	NOTICE OF ERRATA filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. correcting Statement (Motion related), <u>113</u> , Statement (Motion related), <u>102</u> (Havens, Betsy) (Entered: 03/30/2016)
03/30/2016	<u>115</u>	ORDER GRANTING PLAINTIFFS' APPLICATION <u>107</u> TO FILE DOCUMENTS UNDER SEAL by Judge Fernando M. Olguin. (vdr) (Entered: 03/30/2016)
03/30/2016	<u>116</u>	MEMORANDUM in Support of NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> Supplemental Memorandum in Support of Motion for Summary Judgment filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Havens, Betsy) (Entered: 03/30/2016)
03/30/2016	<u>117</u>	REPLY Reply in Support of Motion NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction <u>99</u> Defendants' Reply to the Opposition to the Motion to Dismiss for Lack of Subject Matter Jurisdiction filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration Declaration of Rebecca Schupp in Support of Defendants' Reply to the Opposition to the Motion to Dismiss)(Wang, Kenneth) (Entered: 03/30/2016)
03/30/2016	<u>118</u>	MEMORANDUM in Opposition to NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> Defendants' Supplemental Memorandum in Support of their Opposition to the Motion for Summary Judgment filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 03/30/2016)
04/04/2016	<u>119</u>	SEALED DOCUMENT Att. 1 Ash Depo Excerpts UNREDACTED re NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> , Order on Motion for Leave to File Document Under Seal <u>115</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Havens, Betsy) (Entered: 04/04/2016)
04/04/2016	<u>120</u>	SEALED DOCUMENT Att. 2 Baker Depo Excerpts UNREDACTED re NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> , Order on Motion for Leave to File Document Under Seal <u>115</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Havens, Betsy) (Entered: 04/04/2016)
04/04/2016	<u>121</u>	SEALED DOCUMENT Att. 3 Campwala Depo Excerpts UNREDACT re NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> , Order on Motion for Leave to File Document Under Seal <u>115</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Havens, Betsy) (Entered: 04/04/2016)
04/04/2016	<u>122</u>	SEALED DOCUMENT Att. 4 Dhamija Depo Excerpts Vol 1 12-8-15 re NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> , Order on Motion for Leave to File Document Under Seal <u>115</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Havens, Betsy)

		(Entered: 04/04/2016)
04/04/2016	<u>123</u>	SEALED DOCUMENT <i>Att. 5 Dhamija Depo Excerpts Vol 2 1-28-16 UNREDACT</i> re NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> , Order on Motion for Leave to File Document Under Seal <u>115</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Havens, Betsy) (Entered: 04/04/2016)
04/04/2016	<u>124</u>	SEALED DOCUMENT <i>Att. 6 Greenwood Depo Excerpts UNREDACTED</i> re NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> , Order on Motion for Leave to File Document Under Seal <u>115</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Havens, Betsy) (Entered: 04/04/2016)
04/04/2016	<u>125</u>	SEALED DOCUMENT <i>Att. 7 Hatch Depo Excerpts</i> re NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> , Order on Motion for Leave to File Document Under Seal <u>115</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Havens, Betsy) (Entered: 04/04/2016)
04/04/2016	<u>126</u>	SEALED DOCUMENT <i>Att. 8 Kayaleh Depo Excerpts</i> re NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> , Order on Motion for Leave to File Document Under Seal <u>115</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Havens, Betsy) (Entered: 04/04/2016)
04/04/2016	<u>127</u>	SEALED DOCUMENT <i>Amended Declaration of Elissa Gershon with UNREDACTED Documents Filed Under Seal</i> re NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED 100</i> , Order on Motion for Leave to File Document Under Seal <u>115</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Unredacted Document Att. 9 Leberthon Depo Excerpts, # <u>2</u> Unredacted Document Att. 10 Mesipam Depo Excerpts, # <u>3</u> Unredacted Document Att. 11 Shokrae Depo Excerpts, # <u>4</u> Unredacted Document Att. 12 Solano Depo Excerpts UNREDACTED, # <u>5</u> Unredacted Document Att. 13 Thomas Depo Excerpts UNREDACTED, # <u>6</u> Unredacted Document Att. 14 Pls Exhibit 52 Dhamija Thomas Report 12-3-15 UNREDACT, # <u>7</u> Unredacted Document Att. 15 Defs Exhibit 69 Kripke Expert Report 11-30-15 UNREDACT, # <u>8</u> Unredacted Document Att. 16 Pls Exhibit 70 Dhamija rebuttal expert report 12-28-15 UNREDACT, # <u>9</u> Unredacted Document Att. 17 Defs Amended Designation of Rebuttal Expert Witness UNREDACT, # <u>10</u> Unredacted Document Att. 18 Pls. Exhibit 27 (Baker) Palomares IHO Summary 2015.06.22 DHCS2521-2528, # <u>11</u> Unredacted Document Att. 19 Pls. Ex 30 (Baker) Palomares DHCS Adopted Decision DHCS2645-2657 UNREDACT, # <u>12</u> Unredacted Document Att. 20 Pls. Ex 31 (Baker) Palomares IHO Menu JP000349-000359, # <u>13</u> Unredacted Document Att. 21 Pls. Ex32 (Baker) Palomares IHO Case Review DHCS2529-2542, # <u>14</u> Unredacted Document Att. 22 Pls. Ex 33 (Baker) Palomares Manual POTJP001052-001074, # <u>15</u> Unredacted Document Att. 23 Pls. Ex 38 (Solano) Benison IHO Case Report SB000319-000338, # <u>16</u> Unredacted Document Att. 24 Pls. Ex 40 (Solano) Benison IHO Case Report 2015.06.04, # <u>17</u> Unredacted Document Att. 25 Pls. Ex 43 (Greenwood) Thomas IHO Case Report 000360-000376, # <u>18</u> Unredacted Document Att. 26 Pls. Ex 45 (Greenwood) 2014.07.31 Ltr from DRC to Walsh, RN JT002336-002495, # <u>19</u> Unredacted Document Att. 27 Pls.Ex 48 (Greenwood) Thomas HHC and PO JT002324-002331, # <u>20</u> Unredacted Document Att. 28 Defs. Ex 03 (Kalayeh) Thomas History and Eval JT-002435-2437, # <u>21</u> Unredacted Document Att. 29 Defs. Ex 12 (Kayaleh) Thomas HHC and POC JT-002324-2331, # <u>22</u> Unredacted Document Att. 30 Defs. Ex 13 (Kayaleh) Kayaleh

		Ltr to Walsh JT-002338-2342, # <u>23</u> Unredacted Document Att. 31 Defs. Ex 19 (Campwala) Main St Patient Encounter SB000254, # <u>24</u> Unredacted Document Att. 32 Defs. Ex 20 (Campwala) Benison HHC and POC SB000418-420, # <u>25</u> Unredacted Document Att. 33 Defs. Ex 22 (Campwala) Benison POT SB000457-459, # <u>26</u> Unredacted Document Att. 34 Defs. Ex 25 (Campwala) Benison HHC and POC SB000454-456, # <u>27</u> Unredacted Document Att. 35 Defs. Ex 26 (Campwala) Benison HHC and POC DHCS8684-8686, # <u>28</u> Unredacted Document Att. 36 Defs. Ex 27 (Campwala) Benison HHC and POC DHCS8680-8682, # <u>29</u> Unredacted Document Att. 37 Defs. Ex 28 (Campwala) Benison Supplementary Physician Order, # <u>30</u> Unredacted Document Att. 38 Defs. Ex 38 (Mesipam) Benison Request for Order SB000471-472, # <u>31</u> Unredacted Document Att. 39 Defs. Ex 49 (Hatch) CA Self Directed Services SBSLS 000002-000009, # <u>32</u> Unredacted Document Att. 40 Defs. Ex 56 (Ash) Thomas Home Health Cert and POC, # <u>33</u> Unredacted Document Att. 41 Decl. of Sean Benison UNREDACTED, # <u>34</u> Unredacted Document Att. 42 Decl. of Juan Palomares UNREDACTED, # <u>35</u> Unredacted Document Att. 43 Decl. of Beverly Thomas UNREDACTED, # <u>36</u> Unredacted Document Att. 44 Decl. of Linda Oleson ISO Ps MSJ 1-26-16 UNREDACTED, # <u>37</u> Unredacted Document Att. 44-A Exhibit A to Oleson Decl. ISO MSJ 2-4-16, # <u>38</u> Unredacted Document Att. 44-B Exhibit B to Oleson Decl. ISO MSJ 2-4-16 UNREDACTED, # <u>39</u> Unredacted Document Att. 45 Valcarengi Decl and Exhibits UNREDACT, # <u>40</u> Unredacted Document Att. 45.5 Ex. 2 of Decl. of Rebecca Schupp, # <u>41</u> Unredacted Document Att. 46 Kayaleh Dec re Thomas hearing 2014.09.16 000007-000012, # <u>42</u> Unredacted Document Att. 47 Thomas Hearing Decision 2015.01.30 JT-002309-002323 UNREDACT, # <u>43</u> Unredacted Document Att. 48 Palomares, E Affidavit re IHSS 2007.10.04 JP-000922, # <u>44</u> Unredacted Document Att. 49 Palomares, J Affidavit re IHSS 2009.07.13 JP-000941, # <u>45</u> Unredacted Document Att. 50 Palomares, J Affidavit re IHSS 2009.07.13 JP-001026)(Havens, Betsy) (Entered: 04/04/2016)
04/04/2016	<u>128</u>	DECLARATION of Elissa Gerson In Support of Plaintiffs' Motion for Summary Judgment NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>100</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit Attachment A, # <u>2</u> Unredacted Document Att. 20 Pls. Ex 31 (Baker) Palomares IHO Menu JP000349-000359, # <u>3</u> Redacted Document Att. 104 Schupp Decl. REDACTED, # <u>4</u> Redacted Document Att. 134 Campwala Depo Excerpts REDACT, # <u>5</u> Redacted Document Att. 136 Pls Exhibit 52 Dhamija Thomas Report 12-3-15 REDACT, # <u>6</u> Redacted Document Att. 137 Defs Exhibit 69 Kripke Expert Report 11-30-15 REDACT, # <u>7</u> Redacted Document Att. 138 Pls Exhibit 70 Dhamija rebuttal expert report 12-28-15 REDACT, # <u>8</u> Redacted Document Att. 139 Defs Amended Designation of Rebuttal Expert Witness REDACT, # <u>9</u> Redacted Document Att. 140 Pls. Ex 30 (Baker) Palomares DHCS Adopted Decision DHCS2645-2657 REDACT, # <u>10</u> Redacted Document Att. 141 Valcarengi Decl and Exhibits REDACTED, # <u>11</u> Redacted Document Att. 142 Thomas Hearing Decision 2015.01.30 JT-002309-002323 REDACT, # <u>12</u> Redacted Document Att. 143 Palomares, E Affidavit re IHSS 2014.04.02 JP-001026-1028 REDACT, # <u>13</u> Redacted Document Att. 144 Palomares, E Affidavit re IHSS 2007.10.04 JP-000922, # <u>14</u> Redacted Document Att. 135 Dhamija Depo Excerpts Vol 2 1-28-16 REDACT)(Havens, Betsy) (Entered: 04/04/2016)
04/05/2016	<u>129</u>	PROOF OF SERVICE filed by Plaintiff Sean Benison, Juan Palomares, Jerry Thomas, re Sealed Document, <u>124</u> , Sealed Document <u>122</u> , Sealed Document <u>121</u> , Sealed Document <u>127</u> , Sealed Document, <u>123</u> , Sealed Document <u>119</u> Sealed Document, <u>120</u> , Sealed Document, <u>125</u> , Sealed Document <u>126</u> served on 4/5/2016. (Havens, Betsy) Modified on 4/7/2016 (vdr). (Entered: 04/05/2016)
04/05/2016	<u>130</u>	EX PARTE APPLICATION for Leave to file Surreply re Motion for Summary Judgment and Motion to Dismiss filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration of Elissa Gershon, # <u>2</u> Proposed Order Granting Leave to File Surreply) (Gershon, Elissa) (Entered: 04/05/2016)
04/06/2016	<u>131</u>	Revised Table of Contents for Evidentiary Appendix filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas re: Declaration (Motion related) <u>103</u> (Havens, Betsy) Modified on 4/7/2016 (vdr). (Entered: 04/06/2016)

04/08/2016	<u>132</u>	SUPPLEMENT to NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>100</u> <i>NEW INFORMATION RELATED TO DEFENDANTS SUPPLEMENTAL MEMORANDUM IN SUPPORT OF THEIR OPPOSITION TO THE MOTION FOR SUMMARY JUDGMENT</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration Declaration of Rebecca Schupp)(Wang, Kenneth) (Entered: 04/08/2016)
04/08/2016	<u>133</u>	SUPPLEMENT to NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction <u>99</u> <i>NEW INFORMATION RELATED TO DEFENDANTS REPLY TO THE OPPOSITION TO THE MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration Declaration of Rebecca Schupp)(Wang, Kenneth) (Entered: 04/08/2016)
04/08/2016	134	TEXT ONLY ENTRY by Chambers of Judge Fernando M. Olguin. On the court's own motion, the Motion to Dismiss <u>99</u> and Motion for Summary Judgment <u>100</u> , are taken off the 4/14/2016 calendar and placed under submission. No appearances are required on 4/14/2016. An order with the court's rulings will issue. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vdr) TEXT ONLY ENTRY (Entered: 04/08/2016)
04/11/2016	<u>135</u>	MINUTES (IN CHAMBERS) ORDER RE: APPLICATION <u>130</u> FOR LEAVE TO FILE SUR-REPLY by Judge Fernando M. Olguin. The court grants plaintiffs' ex parte application. (vdr) (Entered: 04/11/2016)
04/18/2016	<u>136</u>	SUPPLEMENT to NOTICE OF MOTION AND MOTION to Dismiss for Lack of Jurisdiction <u>99</u> <i>New Information Related To Defendants' Reply To The Opposition To The Motion To Dismiss For Lack Of Subject Matter Jurisdiction</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration Second Supplemental Declaration of Rebecca Schupp, # <u>2</u> Exhibit Exhibit A – Part 1, # <u>3</u> Exhibit Exhibit A – Part 2)(Wang, Kenneth) (Entered: 04/18/2016)
04/18/2016	<u>137</u>	SUPPLEMENT to NOTICE OF MOTION AND MOTION for Summary Judgment <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>100</u> <i>New Information Related To Defendants' Supplemental Memorandum In Support Of Their Opposition To The Motion For Summary Judgment</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration Second Supplemental Declaration of Rebecca Schupp, # <u>2</u> Exhibit A – Part 1, # <u>3</u> Exhibit A – Part 2)(Wang, Kenneth) (Entered: 04/18/2016)
04/21/2016	<u>138</u>	EX PARTE APPLICATION for Leave to file MOTION TO STRIKE OR, IN THE ALTERNATIVE, SURREPLY IN RESPONSE TO DEFENDANTS NEW INFORMATION RELATED TO DEFENDANTS REPLY TO THE OPPOSITION TO THE MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION AND DEFENDANTS SUPPLEMENTAL MEMORANDUM IN SUPPORT OF THEIR OPPOSITION TO MOTION FOR SUMMARY JUDGMENT <i>AND MOTION TO STRIKE OR, IN THE ALTERNATIVE, SURREPLY</i> filed by Plaintiff Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration Declaration of Betsy Havens, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C, # <u>5</u> Proposed Order) (Havens, Betsy) (Entered: 04/21/2016)
04/27/2016	<u>139</u>	ORDER RE: PENDING MOTIONS AND FURTHER PROCEEDINGS by Judge Fernando M. Olguin that Defendant Motion to Dismiss <u>99</u> and plaintiffs Motion for Summary Judgment <u>100</u> are DENIED without prejudice, and the corresponding hearing dates are vacated. Plaintiffs Ex Parte Application for Leave to File Motion to Strike or, in the Alternative, Surreply <u>138</u> is DENIED AS MOOT. (See attachment of this Order for further details). (jp) (Entered: 04/27/2016)
05/25/2016	<u>140</u>	EX PARTE APPLICATION for Hearing In-Person Conference <i>or in the Alternative, a Clarification of the Court's Order Regarding Additional Discovery</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services.

		(Attachments: # <u>1</u> Declaration In Support of Defendants' Ex Parte Application) (Wang, Kenneth) (Entered: 05/25/2016)
05/26/2016	<u>141</u>	Plaintiffs' Opposition Opposition re: EX PARTE APPLICATION for Hearing In-Person Conference <i>or in the Alternative, a Clarification of the Court's Order Regarding Additional Discovery</i> <u>140</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 05/26/2016)
05/26/2016	<u>142</u>	DECLARATION of Elissa Gershon In Opposition to EX PARTE APPLICATION for Hearing In-Person Conference <i>or in the Alternative, a Clarification of the Court's Order Regarding Additional Discovery</i> <u>140</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A to Gershon Declaration, # <u>2</u> Exhibit B to Gershon Declaration, # <u>3</u> Exhibit C to Gershon Declaration, # <u>4</u> Exhibit D to Gershon Declaration, # <u>5</u> Exhibit E to Gershon Declaration, # <u>6</u> Exhibit F to Gershon Declaration, # <u>7</u> Exhibit G to Gershon Declaration, # <u>8</u> Exhibit H to Gershon Declaration)(Gershon, Elissa) (Entered: 05/26/2016)
05/31/2016	<u>143</u>	ORDER RE: EX PARTE APPLICATION AND FURTHER DISCOVERY PROCEEDINGS <u>140</u> by Judge Fernando M. Olguin: IT IS ORDERED THAT: 1. The Application (Document No. 140) is granted in part and denied in part as set forth below. 2. Pursuant to the Court's Order of April 27, 2016, (see Dkt. 139), the parties may conduct additional discovery with respect to the NF/AH Waiver Program amendment proposed by defendants. Each individual party is permitted an additional ten (10) hours of deposition, one set of document requests (limit 25), one set of requests for admissions (limit 25), and one set of interrogatories (limit 25). (jloz) (Entered: 05/31/2016)
06/20/2016	<u>144</u>	EX PARTE APPLICATION to Clarify Scheduling and Meet and Confer Obligations for Plaintiffs' Motion for Summary Judgment filed by Plaintiff Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration Declaration of Elissa Gershon, # <u>2</u> Exhibit Exhibit A, # <u>3</u> Exhibit Exhibit B, # <u>4</u> Exhibit Exhibit C, # <u>5</u> Exhibit Exhibit D, # <u>6</u> Declaration Declaration of Mona Tawatao, # <u>7</u> Exhibit Exhibit E, # <u>8</u> Proposed Order Proposed Order)(Gershon, Elissa) (Entered: 06/20/2016)
06/21/2016	<u>145</u>	OPPOSITION to EX PARTE APPLICATION to Clarify Scheduling and Meet and Confer Obligations for Plaintiffs' Motion for Summary Judgment <u>144</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration of Attorney General Kenneth K. Wang in Support of Defendants' Opposition to the Ex Parte Application)(Wang, Kenneth) (Entered: 06/21/2016)
06/22/2016	<u>146</u>	ORDER RE: EX PARTE APPLICATION AND FURTHER PROCEEDINGS <u>144</u> by Judge Fernando M. Olguin. IT IS ORDERED THAT: 1. Plaintiffs' Ex Parte Application <u>144</u> is granted in part and denied. (Refer to attached document for requirements.) (lom) (Entered: 06/22/2016)
07/12/2016	<u>147</u>	APPLICATION to file document <i>ISO Plaintiffs' Motion for Summary Judgment</i> under seal filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Memorandum Memo of Points and Authorities, # <u>2</u> Proposed Order, # <u>3</u> Redacted Document Attachment A, # <u>4</u> Redacted Document Attachment B, # <u>5</u> Redacted Document 51, # <u>6</u> Redacted Document 52, # <u>7</u> Redacted Document 55, # <u>8</u> Redacted Document 60, # <u>9</u> Redacted Document 61, # <u>10</u> Redacted Document 100, # <u>11</u> Redacted Document 101, # <u>12</u> Redacted Document 102, # <u>13</u> Redacted Document 103, # <u>14</u> Redacted Document 103-B, # <u>15</u> Redacted Document 104, # <u>16</u> Redacted Document 134, # <u>17</u> Redacted Document 135, # <u>18</u> Redacted Document 136, # <u>19</u> Redacted Document 137, # <u>20</u> Redacted Document 138, # <u>21</u> Redacted Document 139, # <u>22</u> Redacted Document 140, # <u>23</u> Redacted Document 141, # <u>24</u> Redacted Document 142, # <u>25</u> Redacted Document 143, # <u>26</u> Redacted Document 144)(Havens, Betsy) (Entered: 07/12/2016)
07/12/2016	<u>148</u>	SEALED DECLARATION IN SUPPORT OF APPLICATION to file document <i>ISO Plaintiffs' Motion for Summary Judgment</i> under seal <u>147</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Unredacted Document Attachment 1, # <u>2</u> Unredacted Document Attachment 2, # <u>3</u> Unredacted Document Attachment 3, # <u>4</u> Unredacted Document Attachment 4, # <u>5</u> Unredacted Document Attachment 5, # <u>6</u> Unredacted Document Attachment 6, # <u>7</u> Unredacted Document Attachment 7, # <u>8</u> Unredacted Document Attachment 8, # <u>9</u> Unredacted Document

		Attachment 9, # <u>10</u> Unredacted Document Attachment 10, # <u>11</u> Unredacted Document Attachment 11, # <u>12</u> Unredacted Document Attachment 12, # <u>13</u> Unredacted Document Attachment 13, # <u>14</u> Unredacted Document Attachment 14, # <u>15</u> Unredacted Document Attachment 15, # <u>16</u> Unredacted Document Attachment 16, # <u>17</u> Unredacted Document Attachment 17, # <u>18</u> Unredacted Document Attachment 18, # <u>19</u> Unredacted Document Attachment 19, # <u>20</u> Unredacted Document Attachment 20, # <u>21</u> Unredacted Document Attachment 21, # <u>22</u> Unredacted Document Attachment 22, # <u>23</u> Unredacted Document Attachment 23, # <u>24</u> Unredacted Document Attachment 24, # <u>25</u> Unredacted Document Attachment 25, # <u>26</u> Unredacted Document Attachment 26, # <u>27</u> Unredacted Document Attachment 27, # <u>28</u> Unredacted Document Attachment 28, # <u>29</u> Unredacted Document Attachment 29, # <u>30</u> Unredacted Document Attachment 30, # <u>31</u> Unredacted Document Attachment 31, # <u>32</u> Unredacted Document Attachment 32, # <u>33</u> Unredacted Document Attachment 33, # <u>34</u> Unredacted Document Attachment 34, # <u>35</u> Unredacted Document Attachment 35, # <u>36</u> Unredacted Document Attachment 36, # <u>37</u> Unredacted Document Attachment 37, # <u>38</u> Unredacted Document Attachment 38, # <u>39</u> Unredacted Document Attachment 39, # <u>40</u> Unredacted Document Attachment 40, # <u>41</u> Unredacted Document Attachment 41, # <u>42</u> Unredacted Document Attachment 42, # <u>43</u> Unredacted Document Attachment 43, # <u>44</u> Unredacted Document Attachment 44, # <u>45</u> Unredacted Document Attachment 44-A, # <u>46</u> Unredacted Document Attachment 44-B, # <u>47</u> Unredacted Document Attachment 45, # <u>48</u> Unredacted Document Attachment 45.5, # <u>49</u> Unredacted Document Attachment 46, # <u>50</u> Unredacted Document Attachment 47, # <u>51</u> Unredacted Document Attachment 48, # <u>52</u> Unredacted Document Attachment 49, # <u>53</u> Unredacted Document Attachment 50)(Havens, Betsy) (Entered: 07/12/2016)
07/13/2016	<u>149</u>	PROOF OF SERVICE filed by Plaintiff Sean Benison, Juan Palomares, Jerry Thomas, re Sealed Declaration in Support Declaration,,,,,, <u>148</u> <i>Proof of Service of Documents Filed Under Seal</i> served on 7/13/2016. (Gershon, Elissa) (Entered: 07/13/2016)
07/13/2016	<u>150</u>	ORDER GRANTING Plaintiffs Application to File Documents Under Seal <u>147</u> by Judge Fernando M. Olguin. (jp) (Entered: 07/13/2016)
07/18/2016	<u>151</u>	NOTICE OF MOTION AND MOTION for Summary Judgment as to All claims <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> filed by Plaintiff Sean Benison, Juan Palomares, Jerry Thomas. Motion set for hearing on 8/18/2016 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Proposed Judgment) (Havens, Betsy) (Entered: 07/18/2016)
07/18/2016	<u>152</u>	MEMORANDUM in Support of NOTICE OF MOTION AND MOTION for Summary Judgment as to All claims <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>151</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Havens, Betsy) (Entered: 07/18/2016)
07/18/2016	<u>153</u>	JOINT STATEMENT of UNCONTROVERTED FACTS NOTICE OF MOTION AND MOTION for Summary Judgment as to All claims <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>151</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Havens, Betsy) (Entered: 07/18/2016)
07/18/2016	<u>154</u>	SEALED DECLARATION IN SUPPORT OF APPLICATION to file document <i>ISO Plaintiffs' Motion for Summary Judgment</i> under seal <u>147</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Unredacted Document Attachment 1, # <u>2</u> Unredacted Document Attachment 2, # <u>3</u> Unredacted Document Attachment 3, # <u>4</u> Unredacted Document Attachment 4, # <u>5</u> Unredacted Document Attachment 5, # <u>6</u> Unredacted Document Attachment 6, # <u>7</u> Unredacted Document Attachment 7, # <u>8</u> Unredacted Document Attachment 8, # <u>9</u> Unredacted Document Attachment 9, # <u>10</u> Unredacted Document Attachment 10, # <u>11</u> Unredacted Document Attachment 11, # <u>12</u> Unredacted Document Attachment 12, # <u>13</u> Unredacted Document Attachment 13, # <u>14</u> Unredacted Document Attachment 14, # <u>15</u> Unredacted Document Attachment 15, # <u>16</u> Unredacted Document Attachment 16, #

		<p><u>17</u> Unredacted Document Attachment 17, # <u>18</u> Unredacted Document Attachment 18, # <u>19</u> Unredacted Document Attachment 19, # <u>20</u> Unredacted Document Attachment 21, # <u>21</u> Unredacted Document Attachment 22, # <u>22</u> Unredacted Document Attachment 23, # <u>23</u> Unredacted Document Attachment 24, # <u>24</u> Unredacted Document Attachment 25, # <u>25</u> Unredacted Document Attachment 26, # <u>26</u> Unredacted Document Attachment 27, # <u>27</u> Unredacted Document Attachment 28, # <u>28</u> Unredacted Document Attachment 29, # <u>29</u> Unredacted Document Attachment 30, # <u>30</u> Unredacted Document Attachment 31, # <u>31</u> Unredacted Document Attachment 32, # <u>32</u> Unredacted Document Attachment 33, # <u>33</u> Unredacted Document Attachment 34, # <u>34</u> Unredacted Document Attachment 35, # <u>35</u> Unredacted Document Attachment 36, # <u>36</u> Unredacted Document Attachment 37, # <u>37</u> Unredacted Document Attachment 38, # <u>38</u> Unredacted Document Attachment 39, # <u>39</u> Unredacted Document Attachment 40, # <u>40</u> Unredacted Document Attachment 41, # <u>41</u> Unredacted Document Attachment 42, # <u>42</u> Unredacted Document Attachment 43, # <u>43</u> Unredacted Document Attachment 44, # <u>44</u> Unredacted Document Attachment 44–A, # <u>45</u> Unredacted Document Attachment 44–B, # <u>46</u> Unredacted Document Attachment 45, # <u>47</u> Unredacted Document Attachment 45.5, # <u>48</u> Unredacted Document Attachment 46, # <u>49</u> Unredacted Document Attachment 47, # <u>50</u> Unredacted Document Attachment 48, # <u>51</u> Unredacted Document Attachment 49, # <u>52</u> Unredacted Document Attachment 50)(Havens, Betsy) (Entered: 07/18/2016)</p>
07/18/2016	<u>155</u>	<p>DECLARATION of Elissa Gershon in support of NOTICE OF MOTION AND MOTION for Summary Judgment as to All claims <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>151</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit Attachment A, # <u>2</u> Table of Contents for Evidentiary Appendix, # <u>3</u> Redacted Document Attachment 51 of Evidentiary Appendix, # <u>4</u> Redacted Document Attachment 52 of Evidentiary Appendix, # <u>5</u> Unredacted Document Attachment 53 of Evidentiary Appendix, # <u>6</u> Unredacted Document Attachment 54 of Evidentiary Appendix, # <u>7</u> Unredacted Document Attachment 55 of Evidentiary Appendix, # <u>8</u> Unredacted Document Attachment 56 of Evidentiary Appendix, # <u>9</u> Unredacted Document Attachment 57 of Evidentiary Appendix, # <u>10</u> Unredacted Document Attachment 57.1 of Evidentiary Appendix, # <u>11</u> Unredacted Document Attachment 58 of Evidentiary Appendix, # <u>12</u> Unredacted Document Attachment 59 of Evidentiary Appendix, # <u>13</u> Unredacted Document Attachment 60 of Evidentiary Appendix, # <u>14</u> Unredacted Document Attachment 61 of Evidentiary Appendix, # <u>15</u> Unredacted Document Attachment 61.1 of Evidentiary Appendix, # <u>16</u> Unredacted Document Attachment 61.2 of Evidentiary Appendix, # <u>17</u> Unredacted Document Attachment 63 of Evidentiary Appendix, # <u>18</u> Unredacted Document Attachment 64 of Evidentiary Appendix, # <u>19</u> Unredacted Document Attachment 65 of Evidentiary Appendix, # <u>20</u> Unredacted Document Attachment 66 of Evidentiary Appendix, # <u>21</u> Unredacted Document Attachment 67 of Evidentiary Appendix, # <u>22</u> Unredacted Document Attachment 68 of Evidentiary Appendix, # <u>23</u> Unredacted Document Attachment 69 of Evidentiary Appendix, # <u>24</u> Unredacted Document Attachment 70 of Evidentiary Appendix, # <u>25</u> Unredacted Document Attachment 71 of Evidentiary Appendix, # <u>26</u> Unredacted Document Attachment 72 of Evidentiary Appendix, # <u>27</u> Unredacted Document Attachment 73 of Evidentiary Appendix, # <u>28</u> Unredacted Document Attachment 74 of Evidentiary Appendix, # <u>29</u> Unredacted Document Attachment 75 of Evidentiary Appendix, # <u>30</u> Unredacted Document Attachment 76 of Evidentiary Appendix, # <u>31</u> Unredacted Document Attachment 77 of Evidentiary Appendix, # <u>32</u> Unredacted Document Attachment 78 of Evidentiary Appendix, # <u>33</u> Unredacted Document Attachment 79 of Evidentiary Appendix, # <u>34</u> Unredacted Document Attachment 80 of Evidentiary Appendix, # <u>35</u> Unredacted Document Attachment 81 of Evidentiary Appendix, # <u>36</u> Unredacted Document Attachment 82 of Evidentiary Appendix, # <u>37</u> Unredacted Document Attachment 83 of Evidentiary Appendix, # <u>38</u> Unredacted Document Attachment 84 of Evidentiary Appendix, # <u>39</u> Unredacted Document Attachment 85 of Evidentiary Appendix, # <u>40</u> Unredacted Document Attachment 86 of Evidentiary Appendix, # <u>41</u> Unredacted Document Attachment 87 of Evidentiary Appendix, # <u>42</u> Unredacted Document Attachment 88 of Evidentiary Appendix, # <u>43</u> Unredacted Document Attachment 89 of Evidentiary Appendix, # <u>44</u> Unredacted Document Attachment 90 of Evidentiary Appendix, # <u>45</u> Unredacted Document Attachment 91 of Evidentiary Appendix, # <u>46</u> Unredacted Document Attachment 92 of Evidentiary Appendix, # <u>47</u> Unredacted Document Attachment 93 of Evidentiary Appendix, # <u>48</u> Unredacted Document</p>

		Evidentiary Appendix, # <u>124</u> Unredacted Document Attachment 133.24 of Evidentiary Appendix, # <u>125</u> Unredacted Document Attachment 133.25 of Evidentiary Appendix, # <u>126</u> Unredacted Document Attachment 133.26 of Evidentiary Appendix, # <u>127</u> Unredacted Document Attachment 133.27 of Evidentiary Appendix, # <u>128</u> Redacted Document Attachment 134 of Evidentiary Appendix, # <u>129</u> Redacted Document Attachment 135 of Evidentiary Appendix, # <u>130</u> Redacted Document Attachment 136 of Evidentiary Appendix, # <u>131</u> Redacted Document Attachment 137 of Evidentiary Appendix, # <u>132</u> Redacted Document Attachment 138 of Evidentiary Appendix, # <u>133</u> Redacted Document Attachment 139 of Evidentiary Appendix, # <u>134</u> Redacted Document Attachment 140 of Evidentiary Appendix, # <u>135</u> Redacted Document Attachment 141 of Evidentiary Appendix, # <u>136</u> Redacted Document Attachment 142 of Evidentiary Appendix, # <u>137</u> Redacted Document Attachment 143 of Evidentiary Appendix, # <u>138</u> Unredacted Document Attachment 144 of Evidentiary Appendix, # <u>139</u> Unredacted Document Attachment 145 of Evidentiary Appendix, # <u>140</u> Unredacted Document Attachment 59.1 of Evidentiary Appendix, # <u>141</u> Unredacted Document Attachment 59.2 of Evidentiary Appendix)(Havens, Betsy) (Entered: 07/18/2016)
07/28/2016	<u>156</u>	SUPPLEMENT <i>BRIEF IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</i> filed by Defendant State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 07/28/2016)
07/28/2016	<u>157</u>	SUPPLEMENT <i>BRIEF IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT</i> filed by Defendant State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 07/28/2016)
07/28/2016	<u>158</u>	NOTICE OF ERRATA filed by Defendants Jennifer Kent, State of California Department of Health Care Services. correcting Supplement(Motion related) <u>156</u> (Wang, Kenneth) (Entered: 07/28/2016)
08/01/2016	<u>159</u>	NOTICE OF MOTION AND MOTION to Strike Evidence Pursuant to FRCP 37(C)(1) filed by Plaintiffs' Sean Benison, Juan Palomares, Jerry Thomas. Motion set for hearing on 8/18/2016 at 10:00 AM before Judge Fernando M. Olguin. (Attorney Sue L Himmelrich added to party Juan Palomares(pty:pla)) (Himmelrich, Sue) (Entered: 08/01/2016)
08/01/2016	<u>160</u>	DECLARATION of Elissa Gershon in support of NOTICE OF MOTION AND MOTION to Strike Evidence Pursuant to FRCP 37(C)(1) <u>159</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Gershon, Elissa) (Entered: 08/01/2016)
08/01/2016	<u>161</u>	SUPPLEMENT to NOTICE OF MOTION AND MOTION for Summary Judgment as to All claims <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>151</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 08/01/2016)
08/01/2016	<u>162</u>	DECLARATION of Elissa Gershon In Support of NOTICE OF MOTION AND MOTION for Summary Judgment as to All claims <i>MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, FOR AN ORDER TREATING SPECIFIED FACTS AS ESTABLISHED</i> <u>151</u> <i>Supplemental Memorandum</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Gershon, Elissa) (Entered: 08/01/2016)
08/03/2016	<u>163</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: NOTICE OF MOTION AND MOTION to Strike Evidence Pursuant to FRCP 37(C)(1) <u>159</u> . The following error(s) was found: Proposed Document was not submitted as separate attachment. Proposed Order shall be filed as separate attachment to the e-filed "Notice of Motion and Motion to Strike and/or NOTICE OF LODGING". and e-mailed to a Judge Olguin generic email addresses a WordPerfect or Microsoft Word version of the document. 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. (jp) (Entered: 08/03/2016)
08/03/2016	<u>164</u>	[DOCUMENT STRICKEN] Refiled Exhibit to Gershon Dec ecf 130 No. 6 re NOTICE OF MOTION AND MOTION to Strike Evidence Pursuant to FRCP 37(C)(1) <u>159</u> filed by Plaintiff Juan Palomares. (Hadreas, Anne) Modified on 8/3/2016 (vdr). (Entered: 08/03/2016)
08/03/2016	<u>165</u>	[DOCUMENT STRICKEN] REFILED EXHIBIT F TO ELISSA GERSHON DECLARATION ECF 160 NO. 6 re NOTICE OF MOTION AND MOTION to Strike Evidence Pursuant to FRCP 37(C)(1) <u>159</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) Modified on 8/3/2016 (vdr). (Entered: 08/03/2016)
08/03/2016	<u>166</u>	NOTICE OF ERRATA filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. correcting Motion Related Document <u>164</u> <i>Incorrect Document Filed</i> (Hadreas, Anne) (Entered: 08/03/2016)
08/03/2016	<u>167</u>	EX PARTE APPLICATION for Order for TO SEAL INADVERTENTLY UNREDACTED DOCUMENT (ECF NO. 160-6) filed by Plaintiff Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order) (Gershon, Elissa) (Entered: 08/03/2016)
08/03/2016	<u>168</u>	ORDER to STRIKE ELECTRONICALLY FILED DOCUMENTS by Judge Fernando M. Olguin Re: Exhibits <u>164</u> , and <u>165</u> . The following document(s) be STRICKEN for failure to comply with the Local Rules, General Order and/or the Courts Case Management Order for the following reason(s): (1) Title page is missing. (vdr) (Entered: 08/03/2016)
08/04/2016	<u>169</u>	ORDER GRANTING Plaintiffs EX PARTE APPLICATION <u>167</u> Seeking an Order to Seal Inadvertently Unredacted Document (ECF No. 160-6) by Judge Fernando M. Olguin that ECF No.160-6 remain sealed. (jp) (Entered: 08/04/2016)
08/04/2016	<u>170</u>	ORDER RE: PENDING MOTIONS AND FURTHER PROCEEDINGS by Judge Fernando M. Olguin. Plaintiffs' Motion for Summary Judgment <u>151</u> is denied without prejudice, and the corresponding hearing date is vacated. Plaintiffs' Motion to Strike <u>159</u> is denied as moot, and the corresponding hearing date is vacated. *See order for complete ruling and requirements.* (vdr) (Entered: 08/04/2016)
08/04/2016	<u>171</u>	SUPPLEMENT to Statement (Motion related), <u>112</u> filed by Interested Party United States of America. (Hull, Joanna) (Entered: 08/04/2016)
08/04/2016	<u>172</u>	NEW FILING OF EXHIBIT F TO DECLARATION OF ELISSA GERSHON (ECF NO. 160-6) re NOTICE OF MOTION AND MOTION to Strike Evidence Pursuant to FRCP 37(C)(1) <u>159</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 08/04/2016)
08/04/2016	<u>173</u>	EX PARTE APPLICATION for Order for To Seal Mistakenly Filed Document (ECF No. 164) filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration of Anne Hadreas, # <u>2</u> Proposed Order) (Hadreas, Anne) (Entered: 08/04/2016)
08/05/2016	<u>174</u>	ORDER GRANTING EX PARTE APPLICATION <u>173</u> by Judge Fernando M. Olguin. (vdr) (Entered: 08/05/2016)
08/05/2016	<u>175</u>	NOTICE OF MOTION AND MOTION to Stay Case pending Waiver Amendment and Renewal filed by Defendants Jennifer Kent, State of California Department of Health Care Services. Motion set for hearing on 9/8/2016 at 10:00 AM before Judge Fernando M. Olguin. (Wang, Kenneth) (Entered: 08/05/2016)
08/05/2016	<u>176</u>	DECLARATION of Rebecca Schupp February 26, 2016 in Support of NOTICE OF MOTION AND MOTION to Stay Case pending Waiver Amendment and Renewal <u>175</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Exhibit 1 (1 of 3), # <u>2</u> Exhibit 1 (2 of 3), # <u>3</u> Exhibit 1 (3 of 3), # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6, # <u>9</u> Exhibit 7, # <u>10</u> Exhibit 8, # <u>11</u> Exhibit 9)(Wang, Kenneth) (Entered: 08/05/2016)

08/05/2016	<u>177</u>	DECLARATION of Rebecca Schupp July 8, 2016 in Support of NOTICE OF MOTION AND MOTION to Stay Case pending Waiver Amendment and Renewal <u>175</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Exhibit A (1 of 3), # <u>2</u> Exhibit A (2 of 3), # <u>3</u> Exhibit A (3 of 3), # <u>4</u> Exhibit B)(Wang, Kenneth) (Entered: 08/05/2016)
08/09/2016	<u>178</u>	Defendants' Ex Parte Application for an Order to Seal ECF No. 176-4 re: Declaration (Motion related) <u>176</u> (Attachments: # <u>1</u> Declaration Declaration of Deputy Attorney General Kenneth K. Wang in Support of Defendants' Ex Parte Application for an Order to Seal ECF No. 176-4, # <u>2</u> Proposed Order [Proposed] Order Granting Defendants' Ex Parte Application for an Order to Seal ECF No. 176-4)(Wang, Kenneth) Modified on 8/10/2016 (vdr). (Entered: 08/09/2016)
08/10/2016	<u>179</u>	ORDER GRANTING EX PARTE APPLICATION <u>178</u> by Judge Fernando M. Olguin. (vdr) (Entered: 08/10/2016)
08/18/2016	<u>180</u>	Plaintiffs' Opposition to Defendants Motion to Stay Opposition re: NOTICE OF MOTION AND MOTION to Stay Case pending Waiver Amendment and Renewal <u>175</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 08/18/2016)
08/18/2016	<u>181</u>	DECLARATION of Elissa Gershon in opposition to NOTICE OF MOTION AND MOTION to Stay Case pending Waiver Amendment and Renewal <u>175</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I)(Gershon, Elissa) (Entered: 08/18/2016)
08/18/2016	<u>182</u>	DECLARATION of Diane Frank in opposition to NOTICE OF MOTION AND MOTION to Stay Case pending Waiver Amendment and Renewal <u>175</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Gershon, Elissa) (Entered: 08/18/2016)
08/18/2016	<u>183</u>	DECLARATION of Sarah McKinney in opposition to NOTICE OF MOTION AND MOTION to Stay Case pending Waiver Amendment and Renewal <u>175</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A)(Gershon, Elissa) (Entered: 08/18/2016)
08/23/2016	<u>184</u>	REPLY in Support NOTICE OF MOTION AND MOTION to Stay Case pending Waiver Amendment and Renewal <u>175</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration)(Wang, Kenneth) (Entered: 08/23/2016)
08/25/2016	<u>185</u>	EX PARTE APPLICATION for Leave to file SURREPLY in Response to Defendants' Reply re: Motion to Stay filed by PLAINTIFF Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Proposed Order) (Gershon, Elissa) (Entered: 08/25/2016)
08/25/2016	<u>186</u>	DECLARATION of Elissa Gershon in support of EX PARTE APPLICATION for Leave to file SURREPLY in Response to Defendants' Reply re: Motion to Stay <u>185</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Gershon, Elissa) (Entered: 08/25/2016)
08/29/2016	<u>187</u>	ORDER RE: MOTION TO STAY <u>175</u> AND FURTHER PROCEEDINGS by Judge Fernando M. Olguin. Defendants' Motion to Stay is denied. Plaintiffs' Ex Parte Application <u>185</u> is denied as moot. Trial is continued to 11/29/2016 at 8:15 AM. *See order for ruling and continued dates/deadlines.* (vdr) (Entered: 08/29/2016)
08/29/2016	188	TEXT ONLY ENTRY by Chambers of Judge Fernando M. Olguin. On the court's own motion, the Pretrial Conference is reset for 11/10/2016 at 10:00 AM before Judge Fernando M. Olguin (11/11/2016 is a court holiday). THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vdr) TEXT ONLY ENTRY (Entered: 08/29/2016)
09/01/2016	<u>189</u>	APPLICATION to file document <i>Attachments to MSJ</i> under seal filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Memorandum Points and Authorities, # <u>2</u> Proposed Order, # <u>3</u> Exhibit Attachment A, # <u>4</u> Exhibit Attachment B, # <u>5</u> Exhibit Attachment 51, # <u>6</u> Exhibit Attachment 52, # <u>7</u> Exhibit Attachment 55, # <u>8</u> Exhibit Attachment 60, # <u>9</u> Exhibit Attachment 61, # <u>10</u> Exhibit

		Attachment 100, # <u>11</u> Exhibit Attachment 101, # <u>12</u> Exhibit Attachment 102, # <u>13</u> Exhibit Attachment 103, # <u>14</u> Exhibit Attachment 103-B, # <u>15</u> Exhibit Attachment 104, # <u>16</u> Exhibit Attachment 134, # <u>17</u> Exhibit Attachment 135, # <u>18</u> Exhibit Attachment 136, # <u>19</u> Exhibit Attachment 137, # <u>20</u> Exhibit Attachment 138, # <u>21</u> Exhibit Attachment 139, # <u>22</u> Exhibit Attachment 140, # <u>23</u> Exhibit Attachment 141, # <u>24</u> Exhibit Attachment 142, # <u>25</u> Exhibit Attachment 143, # <u>26</u> Exhibit Attachment 144)(Havens, Betsy) (Entered: 09/01/2016)
09/01/2016	<u>190</u>	SEALED DECLARATION IN SUPPORT OF APPLICATION to file document <i>Attachments to MSJ</i> under seal <u>189</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Unredacted Document Attachment 1, # <u>2</u> Unredacted Document Attachment 2, # <u>3</u> Unredacted Document Attachment 3, # <u>4</u> Unredacted Document Attachment 4, # <u>5</u> Unredacted Document Attachment 5, # <u>6</u> Unredacted Document Attachment 6, # <u>7</u> Unredacted Document Attachment 7, # <u>8</u> Unredacted Document Attachment 8, # <u>9</u> Unredacted Document Attachment 9, # <u>10</u> Unredacted Document Attachment 10, # <u>11</u> Unredacted Document Attachment 11, # <u>12</u> Unredacted Document Attachment 12, # <u>13</u> Unredacted Document Attachment 13, # <u>14</u> Unredacted Document Attachment 14, # <u>15</u> Unredacted Document Attachment 15, # <u>16</u> Unredacted Document Attachment 16, # <u>17</u> Unredacted Document Attachment 17, # <u>18</u> Unredacted Document Attachment 18, # <u>19</u> Unredacted Document Attachment 19, # <u>20</u> Unredacted Document Attachment 21, # <u>21</u> Unredacted Document Attachment 22, # <u>22</u> Unredacted Document Attachment 23, # <u>23</u> Unredacted Document Attachment 24, # <u>24</u> Unredacted Document Attachment 25, # <u>25</u> Unredacted Document Attachment 26, # <u>26</u> Unredacted Document Attachment 27, # <u>27</u> Unredacted Document Attachment 28, # <u>28</u> Unredacted Document Attachment 29, # <u>29</u> Unredacted Document Attachment 30, # <u>30</u> Unredacted Document Attachment 31, # <u>31</u> Unredacted Document Attachment 32, # <u>32</u> Unredacted Document Attachment 33, # <u>33</u> Unredacted Document Attachment 34, # <u>34</u> Unredacted Document Attachment 35, # <u>35</u> Unredacted Document Attachment 36, # <u>36</u> Unredacted Document Attachment 37, # <u>37</u> Unredacted Document Attachment 38, # <u>38</u> Unredacted Document Attachment 39, # <u>39</u> Unredacted Document Attachment 40, # <u>40</u> Unredacted Document Attachment 41, # <u>41</u> Unredacted Document Attachment 42, # <u>42</u> Unredacted Document Attachment 43, # <u>43</u> Unredacted Document Attachment 44, # <u>44</u> Unredacted Document Attachment 44-A, # <u>45</u> Unredacted Document Attachment 44-B, # <u>46</u> Unredacted Document Attachment 45, # <u>47</u> Unredacted Document Attachment 45.5, # <u>48</u> Unredacted Document Attachment 46, # <u>49</u> Unredacted Document Attachment 47, # <u>50</u> Unredacted Document Attachment 48, # <u>51</u> Unredacted Document Attachment 49, # <u>52</u> Unredacted Document Attachment 50)(Havens, Betsy) (Entered: 09/01/2016)
09/02/2016	<u>191</u>	PROOF OF SERVICE filed by Plaintiff Sean Benison, Juan Palomares, Jerry Thomas, re Sealed Declaration in Support Declaration,,,,,, <u>190</u> <i>Proof of Service of Documents Filed Under Seal</i> served on 09/02/2016. (Havens, Betsy) (Entered: 09/02/2016)
09/02/2016	<u>192</u>	ORDER GRANTING APPLICATION <u>189</u> TO SEAL by Judge Fernando M. Olguin. (vdr) (Entered: 09/02/2016)
09/07/2016	<u>193</u>	Third NOTICE OF MOTION AND MOTION for Summary Judgment <i>Or in the Alternative, Partial Summary Judgment, or in the Alternative, for an Order Treating Specified Facts as Established</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. Motion set for hearing on 10/6/2016 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Proposed Judgment) (Gershon, Elissa) (Entered: 09/07/2016)
09/07/2016	<u>194</u>	MEMORANDUM in Support of Third NOTICE OF MOTION AND MOTION for Summary Judgment <i>Or in the Alternative, Partial Summary Judgment, or in the Alternative, for an Order Treating Specified Facts as Established</i> <u>193</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 09/07/2016)
09/07/2016	<u>195</u>	JOINT STATEMENT of Uncontroverted Facts Third NOTICE OF MOTION AND MOTION for Summary Judgment <i>Or in the Alternative, Partial Summary Judgment, or in the Alternative, for an Order Treating Specified Facts as Established</i> <u>193</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 09/07/2016)

09/07/2016	<u>196</u>	SEALED DECLARATION IN SUPPORT OF APPLICATION to file document <i>Attachments to MSJ</i> under seal <u>189</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Unredacted Document Attachment 1, # <u>2</u> Unredacted Document Attachment 2, # <u>3</u> Unredacted Document Attachment 3, # <u>4</u> Unredacted Document Attachment 4, # <u>5</u> Unredacted Document Attachment 5, # <u>6</u> Unredacted Document Attachment 6, # <u>7</u> Unredacted Document Attachment 7, # <u>8</u> Unredacted Document Attachment 8, # <u>9</u> Unredacted Document Attachment 9, # <u>10</u> Unredacted Document Attachment 10, # <u>11</u> Unredacted Document Attachment 11, # <u>12</u> Unredacted Document Attachment 12, # <u>13</u> Unredacted Document Attachment 13, # <u>14</u> Unredacted Document Attachment 14, # <u>15</u> Unredacted Document Attachment 15, # <u>16</u> Unredacted Document Attachment 16, # <u>17</u> Unredacted Document Attachment 17, # <u>18</u> Unredacted Document Attachment 18, # <u>19</u> Unredacted Document Attachment 19, # <u>20</u> Unredacted Document Attachment 21, # <u>21</u> Unredacted Document Attachment 22, # <u>22</u> Unredacted Document Attachment 23, # <u>23</u> Unredacted Document Attachment 24, # <u>24</u> Unredacted Document Attachment 25, # <u>25</u> Unredacted Document Attachment 26, # <u>26</u> Unredacted Document Attachment 27, # <u>27</u> Unredacted Document Attachment 28, # <u>28</u> Unredacted Document Attachment 29, # <u>29</u> Unredacted Document Attachment 30, # <u>30</u> Unredacted Document Attachment 31, # <u>31</u> Unredacted Document Attachment 32, # <u>32</u> Unredacted Document Attachment 33, # <u>33</u> Unredacted Document Attachment 34, # <u>34</u> Unredacted Document Attachment 35, # <u>35</u> Unredacted Document Attachment 36, # <u>36</u> Unredacted Document Attachment 37, # <u>37</u> Unredacted Document Attachment 38, # <u>38</u> Unredacted Document Attachment 39, # <u>39</u> Unredacted Document Attachment 40, # <u>40</u> Unredacted Document Attachment 41, # <u>41</u> Unredacted Document Attachment 42, # <u>42</u> Unredacted Document Attachment 43, # <u>43</u> Unredacted Document Attachment 44, # <u>44</u> Unredacted Document Attachment 44-A, # <u>45</u> Unredacted Document Attachment 44-B, # <u>46</u> Unredacted Document Attachment 45, # <u>47</u> Unredacted Document Attachment 45.5, # <u>48</u> Unredacted Document Attachment 46, # <u>49</u> Unredacted Document Attachment 47, # <u>50</u> Unredacted Document Attachment 48, # <u>51</u> Unredacted Document Attachment 49, # <u>52</u> Unredacted Document Attachment 50)(Havens, Betsy) (Entered: 09/07/2016)
09/07/2016	<u>197</u>	DECLARATION of Elissa Gershon in support of Third NOTICE OF MOTION AND MOTION for Summary Judgment <i>Or in the Alternative, Partial Summary Judgment, or in the Alternative, for an Order Treating Specified Facts as Established</i> <u>193</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit Attachment A, # <u>2</u> Table of Contents for Evidentiary Appendix, # <u>3</u> Redacted Document Attachment 51, # <u>4</u> Redacted Document Attachment 52, # <u>5</u> Unredacted Document Attachment 53, # <u>6</u> Unredacted Document Attachment 54, # <u>7</u> Redacted Document Attachment 55, # <u>8</u> Unredacted Document Attachment 56, # <u>9</u> Unredacted Document Attachment 57, # <u>10</u> Unredacted Document Attachment 57.1, # <u>11</u> Unredacted Document Attachment 58, # <u>12</u> Unredacted Document Attachment 59, # <u>13</u> Unredacted Document Attachment 59.1, # <u>14</u> Unredacted Document Attachment 59.2, # <u>15</u> Redacted Document Attachment 60, # <u>16</u> Redacted Document Attachment 61, # <u>17</u> Unredacted Document Attachment 61.1, # <u>18</u> Unredacted Document Attachment 61.2, # <u>19</u> Unredacted Document Attachment 63, # <u>20</u> Unredacted Document Attachment 64, # <u>21</u> Unredacted Document Attachment 65, # <u>22</u> Unredacted Document Attachment 66, # <u>23</u> Unredacted Document Attachment 67, # <u>24</u> Unredacted Document Attachment 68, # <u>25</u> Unredacted Document Attachment 69, # <u>26</u> Unredacted Document Attachment 70, # <u>27</u> Unredacted Document Attachment 71, # <u>28</u> Unredacted Document Attachment 72, # <u>29</u> Unredacted Document Attachment 73, # <u>30</u> Unredacted Document Attachment 74, # <u>31</u> Unredacted Document Attachment 75, # <u>32</u> Unredacted Document Attachment 76, # <u>33</u> Unredacted Document Attachment 77, # <u>34</u> Unredacted Document Attachment 78, # <u>35</u> Unredacted Document Attachment 79, # <u>36</u> Unredacted Document Attachment 80, # <u>37</u> Unredacted Document Attachment 81, # <u>38</u> Unredacted Document Attachment 82, # <u>39</u> Unredacted Document Attachment 83, # <u>40</u> Unredacted Document Attachment 84, # <u>41</u> Unredacted Document Attachment 85, # <u>42</u> Unredacted Document Attachment 86, # <u>43</u> Unredacted Document Attachment 87, # <u>44</u> Unredacted Document Attachment 88, # <u>45</u> Unredacted Document Attachment 89, # <u>46</u> Unredacted Document Attachment 90, # <u>47</u> Unredacted Document Attachment 91, # <u>48</u> Unredacted Document Attachment 92, # <u>49</u> Unredacted Document Attachment 93, # <u>50</u> Unredacted Document Attachment 94, # <u>51</u> Unredacted Document Attachment 95, # <u>52</u> Unredacted Document Attachment 95.1, # <u>53</u> Unredacted Document Attachment 95.2, # <u>54</u> Unredacted Document Attachment 95.3, # <u>55</u>

		<p>Unredacted Document Attachment 95.4, # <u>56</u> Unredacted Document Attachment 95.5, # <u>57</u> Unredacted Document Attachment 95.6, # <u>58</u> Unredacted Document Attachment 95.7, # <u>59</u> Unredacted Document Attachment 95.8, # <u>60</u> Unredacted Document Attachment 95.9, # <u>61</u> Unredacted Document Attachment 95.10, # <u>62</u> Unredacted Document Attachment 96, # <u>63</u> Unredacted Document Attachment 97, # <u>64</u> Unredacted Document Attachment 98, # <u>65</u> Unredacted Document Attachment 99, # <u>66</u> Redacted Document Attachment 100, # <u>67</u> Redacted Document Attachment 101, # <u>68</u> Redacted Document Attachment 102, # <u>69</u> Redacted Document Attachment 103, # <u>70</u> Redacted Document Attachment 103-B, # <u>71</u> Redacted Document Attachment 104, # <u>72</u> Unredacted Document Attachment 104.1, # <u>73</u> Unredacted Document Attachment 104.2, # <u>74</u> Unredacted Document Attachment 104.3, # <u>75</u> Unredacted Document Attachment 105, # <u>76</u> Unredacted Document Attachment 106, # <u>77</u> Unredacted Document Attachment 107, # <u>78</u> Unredacted Document Attachment 108, # <u>79</u> Unredacted Document Attachment 109, # <u>80</u> Unredacted Document Attachment 110, # <u>81</u> Unredacted Document Attachment 111, # <u>82</u> Unredacted Document Attachment 112, # <u>83</u> Unredacted Document Attachment 113, # <u>84</u> Unredacted Document Attachment 114, # <u>85</u> Unredacted Document Attachment 115, # <u>86</u> Unredacted Document Attachment 116, # <u>87</u> Unredacted Document Attachment 117, # <u>88</u> Unredacted Document Attachment 118, # <u>89</u> Unredacted Document Attachment 119, # <u>90</u> Unredacted Document Attachment 120, # <u>91</u> Unredacted Document Attachment 121, # <u>92</u> Unredacted Document Attachment 122, # <u>93</u> Unredacted Document Attachment 123, # <u>94</u> Unredacted Document Attachment 124, # <u>95</u> Unredacted Document Attachment 125, # <u>96</u> Unredacted Document Attachment 126, # <u>97</u> Unredacted Document Attachment 127, # <u>98</u> Unredacted Document Attachment 128, # <u>99</u> Unredacted Document Attachment 129, # <u>100</u> Unredacted Document Attachment 130, # <u>101</u> Unredacted Document Attachment 131, # <u>102</u> Unredacted Document Attachment 132, # <u>103</u> Unredacted Document Attachment 133, # <u>104</u> Unredacted Document Attachment 133.1, # <u>105</u> Unredacted Document Attachment 133.2, # <u>106</u> Unredacted Document Attachment 133.3, # <u>107</u> Unredacted Document Attachment 133.4, # <u>108</u> Unredacted Document Attachment 133.5, # <u>109</u> Unredacted Document Attachment 133.6, # <u>110</u> Unredacted Document Attachment 133.7, # <u>111</u> Redacted Document Attachment 133.8, # <u>112</u> Unredacted Document Attachment 133.9, # <u>113</u> Unredacted Document Attachment 133.10, # <u>114</u> Unredacted Document Attachment 133.11, # <u>115</u> Unredacted Document Attachment 133.12, # <u>116</u> Unredacted Document Attachment 133.13, # <u>117</u> Unredacted Document Attachment 133.14, # <u>118</u> Unredacted Document Attachment 133.15, # <u>119</u> Unredacted Document Attachment 133.16, # <u>120</u> Unredacted Document Attachment 133.17, # <u>121</u> Unredacted Document Attachment 133.18, # <u>122</u> Unredacted Document Attachment 133.19, # <u>123</u> Unredacted Document Attachment 133.20, # <u>124</u> Unredacted Document Attachment 133.21, # <u>125</u> Unredacted Document Attachment 133.22, # <u>126</u> Unredacted Document Attachment 133.23, # <u>127</u> Unredacted Document Attachment 133.24, # <u>128</u> Unredacted Document Attachment 133.25, # <u>129</u> Unredacted Document Attachment 133.26, # <u>130</u> Unredacted Document Attachment 133.27, # <u>131</u> Unredacted Document Attachment 133.28, # <u>132</u> Unredacted Document Attachment 133.41, # <u>133</u> Unredacted Document Attachment 134, # <u>134</u> Unredacted Document Attachment 135, # <u>135</u> Unredacted Document Attachment 136, # <u>136</u> Unredacted Document Attachment 137, # <u>137</u> Unredacted Document Attachment 138, # <u>138</u> Unredacted Document Attachment 139, # <u>139</u> Unredacted Document Attachment 140, # <u>140</u> Unredacted Document Attachment 141, # <u>141</u> Unredacted Document Attachment 142, # <u>142</u> Unredacted Document Attachment 143, # <u>143</u> Unredacted Document Attachment 144, # <u>144</u> Unredacted Document Attachment 145, # <u>145</u> Unredacted Document Attachment 62)(Havens, Betsy) (Entered: 09/07/2016)</p>
09/16/2016	<u>198</u>	<p>STATEMENT of Second Supplemental Statement of Interest of the United States of America Third NOTICE OF MOTION AND MOTION for Summary Judgment <i>Or in the Alternative, Partial Summary Judgment, or in the Alternative, for an Order Treating Specified Facts as Established</i> <u>193</u> filed by Interested Party United States of America. (Attorney Joanna Berney Hull added to party United States of America(pty:ip))(Hull, Joanna) (Entered: 09/16/2016)</p>
09/19/2016	<u>199</u>	<p>RESPONSE IN SUPPORT of Third NOTICE OF MOTION AND MOTION for Summary Judgment <i>Or in the Alternative, Partial Summary Judgment, or in the Alternative, for an Order Treating Specified Facts as Established</i> <u>193</u> SUPPLEMENTAL MEMO filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 09/19/2016)</p>

09/19/2016	<u>200</u>	RESPONSE filed by Defendants Jennifer Kent, State of California Department of Health Care Services <i>Defendants' Response to Second Supplemental Statement of Interest (ECF No. 198)</i> (Wang, Kenneth) (Entered: 09/19/2016)
09/20/2016	<u>201</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Betsy Ellen Havens counsel for Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. Betsy Havens is no longer counsel of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Plaintiff Sean Benison, Juan Palomares, and Jerry Thomas. (Havens, Betsy) (Entered: 09/20/2016)
09/26/2016	<u>202</u>	Joint STIPULATION for Court Trial on November 29, 2016 filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Proposed Order)(Gershon, Elissa) (Entered: 09/26/2016)
09/28/2016	<u>203</u>	ORDER RE: JOINT SUBMISSION AND FURTHER PROCEEDINGS by Judge Fernando M. Olguin, re Stipulation <u>202</u> . This case will proceed as a bench trial, to commence 11/29/2016 at 8:30 AM before Judge Fernando M. Olguin. (vdr) (Entered: 09/28/2016)
10/04/2016	<u>204</u>	TEXT ONLY ENTRY by Chambers of Judge Fernando M. Olguin. On the court's own motion, the Motion for Summary Judgment <u>193</u> is taken off the 10/6/2016 calendar and placed under submission. No appearances are required on 10/6/2016. An order with the court's ruling will issue. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vdr) TEXT ONLY ENTRY (Entered: 10/04/2016)
10/21/2016	<u>205</u>	Witness List filed by Defendants Jennifer Kent, State of California Department of Health Care Services.. (Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>206</u>	MEMORANDUM of CONTENTIONS of FACT and LAW filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>207</u>	DECLARATION of Rebecca Schupp with CV <i>as Direct Trial Testimony</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>208</u>	DECLARATION of Christine King-Bloomfield <i>as Direct Trial Testimony (Redacted)</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>209</u>	APPENDIX filed by Defendants Jennifer Kent, State of California Department of Health Care Services. Re: <i>Index of Deposition Testimony</i> (Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>210</u>	NOTICE OF MOTION AND MOTION IN LIMINE (#1) to Preclude Evidence Related to Non-Party NF/AH Waiver Participants and Prospective Participants filed by Defendants Jennifer Kent, State of California Department of Health Care Services. Motion set for hearing on 11/10/2016 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Exhibit - Table of Contents, # <u>2</u> Exhibit A - Part 1, # <u>3</u> Exhibit A - Part 2, # <u>4</u> Exhibit A - Part 3, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E, # <u>9</u> Exhibit F, # <u>10</u> Exhibit G, # <u>11</u> Exhibit H, # <u>12</u> Exhibit I, # <u>13</u> Exhibit J, # <u>14</u> Exhibit K, # <u>15</u> Exhibit L, # <u>16</u> Exhibit M, # <u>17</u> Proposed Order)(Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>211</u>	NOTICE OF MOTION AND MOTION IN LIMINE (#2) to Exclude Evidence and Argument Related to Plaintiffs' Proposed Due Process Cause of Action filed by Defendants Jennifer Kent, State of California Department of Health Care Services. Motion set for hearing on 11/10/2016 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Exhibit - Table of Contents, # <u>2</u> Exhibit A - Part 1, # <u>3</u> Exhibit A - Part 2, # <u>4</u> Exhibit A - Part 3, # <u>5</u> Proposed Order)(Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>212</u>	APPLICATION to file document under seal filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Declaration of Kenneth Wang, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Exhibit 5, # <u>8</u> Exhibit 6)(Wang, Kenneth) (Entered: 10/21/2016)

10/21/2016	<u>213</u>	SEALED DECLARATION IN SUPPORT OF APPLICATION to file document under seal <u>212</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Unredacted Document, # <u>2</u> Unredacted Document, # <u>3</u> Unredacted Document, # <u>4</u> Unredacted Document, # <u>5</u> Unredacted Document, # <u>6</u> Unredacted Document)(Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>214</u>	DECLARATION of Katrina Baker <i>as Direct Trial Testimony</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>215</u>	DECLARATION of Lynette Solano <i>as Direct Trial Testimony</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>216</u>	DECLARATION of Leah Greenwood <i>as Direct Trial Testimony</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>217</u>	DECLARATION of Rajiv Dhamija <i>as Direct Trial Testimony</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 10/21/2016)
10/21/2016	<u>218</u>	APPLICATION to file document under seal filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Memorandum Memo of Points and Authorities, # <u>2</u> Proposed Order, # <u>3</u> Redacted Document Declaration, # <u>4</u> Redacted Document Declaration, # <u>5</u> Redacted Document Declaration, # <u>6</u> Redacted Document Declaration, # <u>7</u> Redacted Document Declaration, # <u>8</u> Redacted Document Declaration, # <u>9</u> Redacted Document Declaration, # <u>10</u> Redacted Document Declaration, # <u>11</u> Redacted Document Declaration, # <u>12</u> Redacted Document Declaration)(Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>219</u>	SEALED DECLARATION IN SUPPORT OF APPLICATION to file document under seal <u>218</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Unredacted Document Declaration, # <u>2</u> Unredacted Document Declaration, # <u>3</u> Unredacted Document Declaration, # <u>4</u> Unredacted Document Declaration, # <u>5</u> Unredacted Document Declaration, # <u>6</u> Unredacted Document Declaration, # <u>7</u> Unredacted Document Declaration, # <u>8</u> Unredacted Document Declaration, # <u>9</u> Unredacted Document Declaration, # <u>10</u> Unredacted Document Declaration)(Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>220</u>	NOTICE OF MOTION AND First MOTION IN LIMINE #1 to Exclude Waiver Amendment and Waiver Renewal filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. Motion set for hearing on 11/10/2016 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Exhibit Defs' Exhibits in Opposition, Part 1, # <u>2</u> Exhibit Defs' Exhibits in Opposition, Part 2)(Himmelrich, Sue) (Entered: 10/21/2016)
10/21/2016	<u>221</u>	NOTICE OF MOTION AND Second MOTION IN LIMINE to Exclude Late Discovery filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. Motion set for hearing on 11/10/2016 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibits In Support, # <u>2</u> Exhibit Defs' Exhibits In Opposition)(Himmelrich, Sue) (Entered: 10/21/2016)
10/21/2016	<u>222</u>	NOTICE OF MOTION AND Third MOTION IN LIMINE to Exclude Exhaustion of Administrative Remedies filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. Motion set for hearing on 11/10/2016 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Exhibit Defs' Exhibits in Opposition)(Himmelrich, Sue) (Entered: 10/21/2016)
10/21/2016	<u>223</u>	MEMORANDUM of CONTENTIONS of FACT and LAW filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Himmelrich, Sue) (Entered: 10/21/2016)
10/21/2016	<u>224</u>	Joint PRETRIAL STIPULATION regarding Exhibits <i>Nos. 2 through 211</i> . (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>225</u>	Witness List filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.. (Gershon, Elissa) (Entered: 10/21/2016)

10/21/2016	<u>226</u>	DECLARATION of Beverly Thomas <i>Direct Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A)(Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>227</u>	DECLARATION of Sean Benison <i>Direct Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A)(Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>228</u>	DECLARATION of Juan Palomares <i>Direct Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A)(Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>229</u>	DECLARATION of Dr. Raouf Kayaleh <i>Direct Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>230</u>	DECLARATION of Dr. Amir Shokrae <i>Direct Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>231</u>	DECLARATION of Maria Ash, R.N. <i>Direct Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>232</u>	DECLARATION of Dr. Khozema Campwala <i>Direct Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>233</u>	DECLARATION of Virginia Montez-Ochoa <i>Rebuttal Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>234</u>	DECLARATION of Dr. Clarissa Kripke <i>Expert Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>235</u>	DECLARATION of Charlene Harrington, Ph.D. <i>Expert Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>236</u>	DECLARATION of Debbie Toth <i>Direct and Rebuttal Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>237</u>	DECLARATION of Sarah McKinney <i>Direct and Rebuttal Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>238</u>	DECLARATION of Diane Frank <i>Direct and Rebuttal Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>239</u>	DECLARATION of Gayle Black <i>Direct and Rebuttal Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>240</u>	DECLARATION of Linda Oleson <i>Direct and Rebuttal Testimony</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/21/2016)
10/21/2016	<u>241</u>	APPENDIX filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. Re: <i>Index of Deposition Designations</i> (Gershon, Elissa) (Entered: 10/21/2016)
10/24/2016	<u>242</u>	PROOF OF SERVICE filed by Plaintiff Sean Benison, Juan Palomares, Jerry Thomas, re Sealed Declaration in SupportDeclaration,, <u>219</u> served on 10/24/2016. (Gershon, Elissa) (Entered: 10/24/2016)
10/24/2016	<u>243</u>	NOTICE OF LODGING filed <i>in re</i> Sealed Declaration in SupportDeclaration, <u>213</u> , APPLICATION to file document under seal <u>218</u> , APPLICATION to file document under seal <u>212</u> , Sealed Declaration in SupportDeclaration,, <u>219</u> (Attachments: # <u>1</u> Exhibit Court Order Re Jt Submission and Further Proceedings dtd 2016Sept28)(Gershon, Elissa) (Entered: 10/24/2016)
10/24/2016	<u>244</u>	ORDER GRANTING PLAINTIFFS' APPLICATION <u>218</u> TO FILE DOCUMENTS UNDER SEAL by Judge Fernando M. Olguin. (jloz) (Entered: 10/24/2016)
10/24/2016	<u>245</u>	ORDER GRANTING APPLICATION <u>212</u> TO SEAL by Judge Fernando M. Olguin. (vdr) (Entered: 10/24/2016)
10/24/2016	<u>246</u>	NOTICE OF LODGING filed (<i>Manual Lodging</i>) <i>in re</i> Order, Set/Reset Hearing <u>203</u> (Attachments: # <u>1</u> Exhibit ECF No. 203)(Gershon, Elissa) (Entered: 10/24/2016)

10/24/2016	<u>247</u>	NOTICE OF ERRATA filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. correcting Notice of Lodging, <u>243</u> (Gershon, Elissa) (Entered: 10/24/2016)
10/25/2016	<u>248</u>	SEALED DOCUMENT <i>Declaration of Benison UNREDACTED</i> re APPLICATION to file document under seal <u>218</u> , Order on Motion for Leave to File Document Under Seal <u>244</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>249</u>	SEALED DOCUMENT <i>Declaration of Palomares UNREDACTED</i> re APPLICATION to file document under seal <u>218</u> , Order on Motion for Leave to File Document Under Seal <u>244</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>250</u>	SEALED DOCUMENT <i>Declaration of Thomas UNREDACTED</i> re APPLICATION to file document under seal <u>218</u> , Order on Motion for Leave to File Document Under Seal <u>244</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>251</u>	SEALED DOCUMENT <i>Declaration of Oleson UNREDACTED</i> re APPLICATION to file document under seal <u>218</u> , Order on Motion for Leave to File Document Under Seal <u>244</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>252</u>	SEALED DOCUMENT <i>Declaration of Kayaleh UNREDACTED</i> re APPLICATION to file document under seal <u>218</u> , Order on Motion for Leave to File Document Under Seal <u>244</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>253</u>	SEALED DOCUMENT <i>Declaration of Shokrae UNREDACTED</i> re APPLICATION to file document under seal <u>218</u> , Order on Motion for Leave to File Document Under Seal <u>244</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>254</u>	SEALED DOCUMENT <i>Declaration of Ash UNREDACTED</i> re APPLICATION to file document under seal <u>218</u> , Order on Motion for Leave to File Document Under Seal <u>244</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>255</u>	SEALED DOCUMENT <i>Declaration of Campwala UNREDACTED</i> re APPLICATION to file document under seal <u>218</u> , Order on Motion for Leave to File Document Under Seal <u>244</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>256</u>	SEALED DOCUMENT <i>Declaration of Kripke UNREDACTED</i> re APPLICATION to file document under seal <u>218</u> , Order on Motion for Leave to File Document Under Seal <u>244</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>257</u>	SEALED DOCUMENT <i>Declaration of Black UNREDACTED</i> re APPLICATION to file document under seal <u>218</u> , Order on Motion for Leave to File Document Under Seal <u>244</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas.(Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>258</u>	NOTICE OF MOTION AND First MOTION IN LIMINE (#1) to Exclude Unapproved Waiver Amendment and Renewal (<i>Corrected TOA</i>) filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. Motion set for hearing on 11/10/2016 at 10:00 AM before Judge Fernando M. Olguin.(Himmelrich, Sue) (Entered: 10/25/2016)
10/25/2016	<u>259</u>	NOTICE OF MOTION AND Second MOTION IN LIMINE (#2) to Exclude Late Produced Evidence (<i>Corrected TOA</i>) filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. Motion set for hearing on 11/10/2016 at 10:00 AM before Judge Fernando M. Olguin.(Himmelrich, Sue) (Entered: 10/25/2016)
10/25/2016	<u>260</u>	NOTICE OF MOTION AND Third MOTION IN LIMINE (#3) to Exclude Evidence Re: Exhaustion (<i>Corrected TOA</i>) filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. Motion set for hearing on 11/10/2016 at 10:00 AM before Judge Fernando M. Olguin.(Himmelrich, Sue) (Entered: 10/25/2016)

10/25/2016	<u>261</u>	NOTICE OF ERRATA filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. correcting First MOTION IN LIMINE #1 to Exclude Waiver Amendment and Waiver Renewal <u>220</u> (Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>262</u>	NOTICE OF ERRATA filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. correcting Second MOTION IN LIMINE to Exclude Late Discovery <u>221</u> (Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>263</u>	NOTICE OF ERRATA filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. correcting Third MOTION IN LIMINE to Exclude Exhaustion of Administrative Remedies <u>222</u> (Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>264</u>	APPENDIX filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. Re: <i>Index of Deposition Designations</i> (Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>265</u>	NOTICE OF ERRATA filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. correcting Appendix <u>241</u> <i>Index of Deposition Designations</i> (Gershon, Elissa) (Entered: 10/25/2016)
10/25/2016	<u>266</u>	PROOF OF SERVICE filed by Plaintiff Sean Benison, Juan Palomares, Jerry Thomas, re Sealed Declaration in Support Declaration,, <u>219</u> <i>Proof of Service of Documents Filed Under Seal</i> served on 10/25/2016. (Gershon, Elissa) (Entered: 10/25/2016)
10/26/2016	<u>267</u>	SEALED MEMORANDUM OF CONTENTIONS OF FACT AND LAW re Order on Motion for Leave to File Document Under Seal <u>245</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) Modified on 10/26/2016 (vdr). (Entered: 10/26/2016)
10/26/2016	<u>268</u>	SEALED DECLARATION IN SUPPORT OF APPLICATION to file document under seal <u>212</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration of Katrina Baker, # <u>2</u> Declaration of Leah Greenwood, # <u>3</u> Declaration of Lynette Solano, # <u>4</u> Declaration of Rajiv Dhamija, M.D.)(Wang, Kenneth) (Entered: 10/26/2016)
10/26/2016	<u>269</u>	SEALED DOCUMENT <i>UNREDACTED DECLARATION OF CHRISTINE KING BROOMFIELD</i> re Order on Motion for Leave to File Document Under Seal <u>245</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services.(Wang, Kenneth) (Entered: 10/26/2016)
10/26/2016	<u>270</u>	SEALED DOCUMENT <i>UNREDACTED DECLARATION OF DEFENDANTS' EXPERT, RAJIV DHAMIJA, M.D.</i> re Order on Motion for Leave to File Document Under Seal <u>245</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services.(Wang, Kenneth) (Entered: 10/26/2016)
10/26/2016	<u>271</u>	SEALED DOCUMENT <i>UNREDACTED DECLARATION OF KATRINA BAKER</i> re Order on Motion for Leave to File Document Under Seal <u>245</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services.(Wang, Kenneth) (Entered: 10/26/2016)
10/26/2016	<u>272</u>	SEALED DOCUMENT <i>UNREDACTED DECLARATION OF LEAH GREENWOOD</i> re Order on Motion for Leave to File Document Under Seal <u>245</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services.(Wang, Kenneth) (Entered: 10/26/2016)
10/26/2016	<u>273</u>	SEALED DOCUMENT <i>UNREDACTED DECLARATION OF LYNETTE SOLANO</i> re Order on Motion for Leave to File Document Under Seal <u>245</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services.(Wang, Kenneth) (Entered: 10/26/2016)
10/26/2016	274	TEXT ONLY ENTRY by Chambers of Judge Fernando M. Olguin. Pursuant to the Notices of Errata <u>261</u> , <u>262</u> and <u>263</u> , the Motions in Limine <u>220</u> , <u>221</u> and <u>222</u> are hereby deemed moot. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vdr) TEXT ONLY ENTRY (Entered: 10/26/2016)
10/26/2016	<u>275</u>	PROOF OF SERVICE filed by Defendants Jennifer Kent, State of California Department of Health Care Services, <i>of Documents Filed Under Seal</i> served on October 26, 2016. (Wang, Kenneth) (Entered: 10/26/2016)

10/28/2016	<u>276</u>	REPLY RE MOTION IN LIMINE (#1) to Exclude Unapproved Waiver Amendment and Renewal Reply In Support filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Himmelrich, Sue) Modified on 10/31/2016 (vdr). (Entered: 10/28/2016)
10/28/2016	<u>277</u>	REPLY RE MOTION IN LIMINE (#2) to Exclude Late Produced Evidence Reply In Support filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Himmelrich, Sue) Modified on 10/31/2016 (vdr). (Entered: 10/28/2016)
10/28/2016	<u>278</u>	REPLY RE MOTION IN LIMINE (#3) to Exclude Evidence re: Exhaustion Reply In Support filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Himmelrich, Sue) Modified on 10/31/2016 (vdr). (Entered: 10/28/2016)
10/28/2016	<u>279</u>	REPLY in Support of MOTION IN LIMINE (#1) to Preclude Evidence Related to Non-Party NF/AH Waiver Participants and Prospective Participants <u>210</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 10/28/2016)
10/28/2016	<u>280</u>	REPLY in Support of MOTION IN LIMINE (#2) to Exclude Evidence and Argument Related to Plaintiffs' Proposed Due Process Cause of Action <u>211</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 10/28/2016)
10/28/2016	<u>281</u>	OBJECTIONS to Appendix <u>241</u> <i>Plaintiffs' Deposition Designations</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 10/28/2016)
10/28/2016	<u>282</u>	STATEMENT Opening Statement filed by Defendants Jennifer Kent, State of California Department of Health Care Services (Wang, Kenneth) (Entered: 10/28/2016)
10/28/2016	<u>283</u>	OBJECTIONS TO PLAINTIFFS' DECLARATION TESTIMONY filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 10/28/2016)
10/28/2016	<u>284</u>	APPLICATION to file document <i>DEFENDANTS OBJECTIONS TO PLAINTIFFS DECLARATION TESTIMONY; DEFENDANTS PROPOSED FINDINGS OF FACT AND LAW, AND DEFENDANTS OPENING STATEMENT</i> under seal filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Declaration Kenneth K. Wang, # <u>3</u> Redacted Document Objections to Plaintiffs' Declaration Testimony, # <u>4</u> Redacted Document Defendants' Opening Statement, # <u>5</u> Redacted Document Defendants' Proposed Findings of Fact and Law)(Wang, Kenneth) (Entered: 10/28/2016)
10/28/2016	<u>285</u>	SEALED DECLARATION IN SUPPORT OF APPLICATION to file document <i>DEFENDANTS OBJECTIONS TO PLAINTIFFS DECLARATION TESTIMONY; DEFENDANTS PROPOSED FINDINGS OF FACT AND LAW, AND DEFENDANTS OPENING STATEMENT</i> under seal <u>284</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Unredacted Document Objections to Plaintiffs' Declaration Testimony, # <u>2</u> Unredacted Document Defendants' Opening Statement, # <u>3</u> Unredacted Document Defendants' Proposed Findings of Fact and Law)(Wang, Kenneth) (Entered: 10/28/2016)
10/28/2016	<u>286</u>	NOTICE OF LODGING filed <i>Defendants' Proposed Findings of Fact and Law</i> re Memorandum of Contentions of Fact and Law <u>206</u> (Attachments: # <u>1</u> Defendants' Proposed Findings of Fact and Law)(Wang, Kenneth) (Entered: 10/28/2016)
10/28/2016	<u>287</u>	STATEMENT Plaintiffs' Opening Statement filed by Plaintiff Jerry Thomas (Gershon, Elissa) (Entered: 10/28/2016)
10/28/2016	<u>288</u>	OBJECTIONS to <i>Defendants' Deposition Designations for Trial</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/28/2016)
10/28/2016	<u>289</u>	OBJECTIONS to <i>Defendants' Trial Declarations</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 10/28/2016)
10/28/2016	<u>290</u>	NOTICE OF LODGING filed <i>Parties' Proposed Final Pretrial Conference Order</i> re Order, Set/Reset Hearing <u>203</u> (Attachments: # <u>1</u> Proposed Order)(Gershon, Elissa) (Entered: 10/28/2016)

10/28/2016	<u>291</u>	NOTICE OF LODGING filed <i>Plaintiffs' Proposed Findings of Fact and Conclusions of Law</i> re Memorandum of Contentions of Fact and Law <u>223</u> (Attachments: # <u>1</u> Proposed Order)(Gershon, Elissa) (Entered: 10/28/2016)
10/31/2016	<u>292</u>	MINUTE ORDER IN CHAMBERS by Judge Fernando M. Olguin. The pretrial conference, and all other dates including the trial date, are hereby vacated pending the court's ruling on the pending motion for summary judgment <u>193</u> . (vdr) (Entered: 10/31/2016)
10/31/2016	<u>293</u>	ORDER GRANTING DEFENDANTS' APPLICATION <u>284</u> by Judge Fernando M. Olguin, to file documents under seal. (vdr) (Entered: 10/31/2016)
11/01/2016	<u>294</u>	SEALED DOCUMENT <i>DEFENDANTS' OBJECTIONS TO PLAINTIFFS' DECLARATION TESTIMONY</i> re Order on Motion for Leave to File Document Under Seal <u>293</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services.(Wang, Kenneth) (Entered: 11/01/2016)
11/01/2016	<u>295</u>	SEALED DOCUMENT <i>DEFENDANTS' PROPOSED FINDINGS OF FACT AND LAW</i> re Order on Motion for Leave to File Document Under Seal <u>293</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services.(Wang, Kenneth) (Entered: 11/01/2016)
11/01/2016	<u>296</u>	SEALED DOCUMENT <i>DEFENDANTS' OPENING STATEMENT</i> re Order on Motion for Leave to File Document Under Seal <u>293</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services.(Wang, Kenneth) (Entered: 11/01/2016)
11/01/2016	<u>297</u>	PROOF OF SERVICE filed by Defendants Jennifer Kent, State of California Department of Health Care Services, served on November 1, 2016. (Wang, Kenneth) (Entered: 11/01/2016)
11/04/2016	<u>298</u>	[STRICKEN BY THE COURT] SUPPLEMENT filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Exhibit 1 – Part 1, # <u>2</u> Exhibit 1 – Part 2, # <u>3</u> Exhibit 2)(Wang, Kenneth) Modified on 11/8/2016 (jloz). (Entered: 11/04/2016)
11/04/2016	<u>299</u>	REDACTED FILING filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas <i>New Filing of Attachment 98</i> re: Declaration (Motion related),,,,,,,,,,,,,,,,,,,,,,,,,,,,,, <u>197</u> (Hadreas, Anne) (Entered: 11/04/2016)
11/04/2016	<u>300</u>	EX PARTE APPLICATION for Order for To Seal Mistakenly Unredacted Document <i>ECF No. 197–64</i> filed by PLAINTIFFS Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order) (Hadreas, Anne) (Entered: 11/04/2016)
11/07/2016	<u>301</u>	ORDER GRANTING Plaintiffs Ex Parte Application <u>300</u> Seeking an Order to Seal Inadvertently Unredacted Document (ECF No. 197–64) by Judge Fernando M. Olguin, this Court having considered Plaintiffs' Ex Parte Application Seeking an Order to Seal Inadvertently Unredacted Document (ECF No. 197–64), and good cause appearing, this Court finds that the following compelling reasons exist to seal the document contained in Plaintiffs application: to protect the privacy of the plaintiffs and to comply with Local Rule 5.2–1. IT IS THEREFORE ORDERED that ECF No.197–64 be sealed. (jp) (Entered: 11/07/2016)
11/07/2016	<u>302</u>	EX PARTE APPLICATION to Strike Supplement <u>298</u> <i>Defendants' New Information</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration of Elissa Gershon, # <u>2</u> Proposed Order Granting Application to Strike or in the Alternative, Respond to Defendants' New Information) (Gershon, Elissa) (Entered: 11/07/2016)
11/08/2016	<u>303</u>	ORDER RE: SUPPLEMENTAL FILING by Judge Fernando M. Olguin. IT IS ORDERED THAT defendants' New Information Related to the Case: Nursing Facility/Acute Hospital Waiver Amendment Approval (Document No. 298) is stricken. (jloz) (Entered: 11/08/2016)
11/09/2016	<u>304</u>	MINUTE ORDER IN CHAMBERS RE: EX PARTE APPLICATION <u>302</u> by Judge Fernando M. Olguin. The ex parte application is denied as moot. (vdr) (Entered: 11/09/2016)

11/18/2016	<u>305</u>	EX PARTE APPLICATION to Notify the Court of New Authority, Inform the Court of Prior Facts and Statements that are No Longer Accurate, to Modify Those Facts and Statements Accordingly, and to Request Judicial Notice of the Waiver Amendment Approval filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration of Kenneth K. Wang, # <u>2</u> Exhibit 1-A, # <u>3</u> Exhibit 1-B, # <u>4</u> Exhibit 2, # <u>5</u> Proposed Order, # <u>6</u> Proof of Service) (Wang, Kenneth) (Entered: 11/18/2016)
11/21/2016	<u>306</u>	OPPOSITION re: EX PARTE APPLICATION to Notify the Court of New Authority, Inform the Court of Prior Facts and Statements that are No Longer Accurate, to Modify Those Facts and Statements Accordingly, and to Request Judicial Notice of the Waiver Amendment Approval <u>305</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 11/21/2016)
11/21/2016	<u>307</u>	DECLARATION of ELISSA GERSHON IN OPPOSITION TO EX PARTE APPLICATION to Notify the Court of New Authority, Inform the Court of Prior Facts and Statements that are No Longer Accurate, to Modify Those Facts and Statements Accordingly, and to Request Judicial Notice of the Waiver Amendment Approval <u>305</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Gershon, Elissa) (Entered: 11/21/2016)
12/08/2016	308	NOTICE TO PARTIES by District Judge Fernando M. Olguin. Effective December 15, 2016, Judge Olguin will be located at the 1st Street Courthouse, COURTROOM 6D on the 6th floor, located at 350 W. 1st Street, Los Angeles, California 90012. All Court appearances shall be made in Courtroom 6D of the 1st Street Courthouse, and all mandatory chambers copies shall be hand delivered to the judge's mail box outside the Clerk's Office on the 4th floor of the 1st Street Courthouse. The location for filing civil documents in paper format exempted from electronic filing and for viewing case files and other records services remains at the United States Courthouse, 312 North Spring Street, Room G-8, Los Angeles, California 90012. The location for filing criminal documents in paper format exempted from electronic filing remains at Edward R. Roybal Federal Building and U.S. Courthouse, 255 East Temple Street, Room 178, Los Angeles, California 90012. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (rrp) TEXT ONLY ENTRY (Entered: 12/08/2016)
03/17/2017	<u>309</u>	APPLICATION to file document <i>Exhibit A and Exhibit D to Plaintiffs' Ex Parte Application for Expedited Ruling on MSJ</i> under seal filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Memorandum Memorandum of P&A, # <u>2</u> Exhibit Attachment A Protective Order, # <u>3</u> Redacted Document Exhibit A 2015 Report Redacted, # <u>4</u> Redacted Document Exhibit D 2016 Report Redacted, # <u>5</u> Proposed Order Proposed Order)(Gershon, Elissa) (Entered: 03/17/2017)
03/17/2017	<u>310</u>	SEALED DECLARATION IN SUPPORT OF APPLICATION to file document <i>Exhibit A and Exhibit D to Plaintiffs' Ex Parte Application for Expedited Ruling on MSJ</i> under seal <u>309</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Unredacted Document Exhibit A 2015 Report Unredacted, # <u>2</u> Unredacted Document Exhibit D 2016 Report Unredacted)(Gershon, Elissa) (Entered: 03/17/2017)
03/20/2017	<u>311</u>	EX PARTE APPLICATION to Expedite Ruling on Motion for Summary Judgment filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration of Beverly Thomas, # <u>2</u> Proposed Order Granting Plaintiffs' Ex Parte Application for Expedited Ruling on MSJ) (Gershon, Elissa) (Entered: 03/20/2017)
03/20/2017	<u>312</u>	DECLARATION of Elissa Gershon In Support of EX PARTE APPLICATION to Expedite Ruling on Motion for Summary Judgment <u>311</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A 2015 Report Redacted, # <u>2</u> Exhibit B Letter and Email, # <u>3</u> Exhibit C Letter, # <u>4</u> Exhibit D 2016 Report Redacted)(Gershon, Elissa) (Entered: 03/20/2017)
03/20/2017	<u>313</u>	PROOF OF SERVICE filed by Plaintiff Sean Benison, Juan Palomares, Jerry Thomas, re Sealed Declaration in Support Declaration, <u>310</u> <i>Proof of Service of Documents Filed with Application to File Documents Under Seal</i> served on 03/20/2017. (Gershon, Elissa) (Entered: 03/20/2017)
03/20/2017	<u>314</u>	ORDER GRANTING PLAINTIFFS' APPLICATION <u>309</u> by Judge Fernando M. Olguin. (vdr) (Entered: 03/20/2017)

03/21/2017	<u>315</u>	Opposition to Ex Parte Application for Expedited Ruling on Plaintiffs' Pending Motion for Summary Judgment re: EX PARTE APPLICATION to Expedite Ruling on Motion for Summary Judgment <u>311</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 03/21/2017)
03/21/2017	<u>316</u>	Declaration of Leah Greenwood re: EX PARTE APPLICATION to Expedite Ruling on Motion for Summary Judgment <u>311</u> <i>in Support of Defendants' Opposition</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 03/21/2017)
03/21/2017	<u>317</u>	Declaration of Jacey Cooper re: EX PARTE APPLICATION to Expedite Ruling on Motion for Summary Judgment <u>311</u> <i>in Support of Defendants' Opposition to Plaintiffs' Ex Parte Application for Expedited Ruling on Plaintiffs' Pending Motion for Summary Judgment</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 03/21/2017)
03/21/2017	<u>318</u>	re: EX PARTE APPLICATION to Expedite Ruling on Motion for Summary Judgment <u>311</u> <i>Declaration of Kenneth K. Wang in Support of Defendants' Opposition to Plaintiffs' Ex Parte Application for Expedited Ruling</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 03/21/2017)
03/21/2017	<u>319</u>	re: EX PARTE APPLICATION to Expedite Ruling on Motion for Summary Judgment <u>311</u> <i>Proof of Service</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 03/21/2017)
03/21/2017	<u>320</u>	SEALED DOCUMENT <i>Exhibits A and D to Gershon Declaration in Support of Plaintiffs' Ex Parte Application for Expedited Ruling on MSJ</i> re Order on Motion for Leave to File Document Under Seal <u>314</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Exhibit A 2015 Report Unredacted, # <u>2</u> Exhibit D 2016 Report Unredacted)(Gershon, Elissa) (Entered: 03/21/2017)
03/21/2017	<u>321</u>	PROOF OF SERVICE filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas, re Sealed Document, <u>320</u> <i>Declaration of Gershon, Exhibits A and D, Notice of Electronic Filing</i> served on March 21, 2017. (Gershon, Elissa) (Entered: 03/21/2017)
06/05/2017	<u>322</u>	ORDER RE: PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT by Judge Fernando M. Olguin. Plaintiffs' Motion for Summary Judgment is denied. Defendants Ex Parte Application <u>305</u> is granted. Plaintiffs' Ex Parte Application <u>311</u> is denied as moot. (vdr) (Entered: 06/05/2017)
06/06/2017	323	TEXT ONLY ENTRY by Chambers of Judge Fernando M. Olguin. The court sets a Status Conference for 6/22/2017 at 10:00 AM before Judge Fernando M. Olguin. Lead counsel are ordered to be present for the hearing.THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vdr) TEXT ONLY ENTRY (Entered: 06/06/2017)
06/13/2017	<u>324</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Kenneth Kai-Chun Wang counsel for Defendants Jennifer Kent, State of California Department of Health Care Services. Michael Thomas Guitar is no longer counsel of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Defendant Kenneth K. Wang. (Wang, Kenneth) (Entered: 06/13/2017)
06/16/2017	<u>325</u>	STATEMENT Status Conference filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas (Gershon, Elissa) (Entered: 06/16/2017)
06/16/2017	<u>326</u>	STATUS REPORT <i>DEFENDANTS' STATUS CONFERENCE STATEMENT</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) (Entered: 06/16/2017)
06/22/2017	<u>327</u>	MINUTES OF Status Conference held before Judge Fernando M. Olguin: Court and counsel confer regarding the case. A separate order will issue.The Court sets a further Status Conference for December 7, 2017 at 10:00 a.m. before Judge Fernando M. Olguin. Court Reporter: Lisa Gonzalez. (cw) (Entered: 06/23/2017)
06/26/2017	<u>328</u>	MINUTE ORDER IN CHAMBERS by Judge Fernando M. Olguin. *See order for deadlines and requirements.* (vdr) (Entered: 06/26/2017)

06/28/2017	<u>329</u>	Defendant's Proposed Magistrate Judges for Settlement Conference filed by Defendants Jennifer Kent, State of California Department of Health Care Services re: Minutes of In Chambers Order/Directive – no proceeding held <u>328</u> (Wang, Kenneth) (Entered: 06/28/2017)
06/28/2017	<u>330</u>	List of Proposed Magistrate Judges for Settlement filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas re: Minutes of In Chambers Order/Directive – no proceeding held <u>328</u> (Gershon, Elissa) (Entered: 06/28/2017)
06/29/2017	<u>331</u>	MINUTE ORDER IN CHAMBERS by Judge Fernando M. Olguin: The parties shall conduct their settlement proceedings before the Hon. Judge Jay Gandhi no later than 10/31/2017. *See Order for details.* (cw) (Entered: 06/29/2017)
08/03/2017	<u>332</u>	(IN CHAMBERS) ORDER REGARDING SETTLEMENT CONFERENCE by Magistrate Judge Jay C. Gandhi. IT IS ORDERED as follows: The parties and their lead trial counsel shall appear for a settlement conference on October 31, 2017 at 10:00 a.m., in Courtroom 6A of the Ronald Reagan Federal Building and U.S. Courthouse, 411 West Fourth Street, 6th Floor, Santa Ana, California 92701. The parties and their lead trial counsel shall keep their schedule clear for the remaining part of the day. No party or counsel shall be excused absent leave from the Judge or until the settlement conference is adjourned. On or before October 24, 2017, each party shall submit a confidential mediation statement (or email) directly to the chambers of the Court at judge_gandhi_mediation@cad.uscourts.gov. The Statements should not be filed with the Clerk of the Court, and they will not be made part of the case file. (kh) (Entered: 08/03/2017)
10/20/2017	<u>333</u>	Joint STIPULATION to Continue Discovery Cutoff Date and Case Timelines from October 31, 2017 to November 30, 2017 Re: Minutes of In Chambers Order/Directive – no proceeding held <u>328</u> filed by Defendants State of California Department of Health Care Services. (Attachments: # <u>1</u> Proposed Order re Stipulation Extending Discovery Cutoff Date and Case Timelines)(Wang, Kenneth) (Entered: 10/20/2017)
10/24/2017	<u>334</u>	ORDER RE: STIPULATION <u>333</u> by Judge Fernando M. Olguin. *See order for continued dates and deadlines.* (vdr) (Entered: 10/24/2017)
10/26/2017	<u>335</u>	TEXT ONLY SCHEDULING NOTICE by Magistrate Judge Alicia G. Rosenberg. Upon the parties request, the Court schedules a Telephonic Discovery Conference for November 1, 2017 at 2:00 PM before Magistrate Judge Alicia G. Rosenberg. Counsel are to file a Joint Report listing each motion at issue and to attach the Rule 30(b)(6) Notice at issue no later than October 31, 2017. The call-in information is as follows: Call-in Number: (213) 894-8506; Conference Password: 126058#. If counsel have any problems connecting to this call, please contact the IT Help Desk at (213) 894-6133. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (kl) TEXT ONLY ENTRY (Entered: 10/26/2017)
10/30/2017	<u>336</u>	REPORT of Joint Report for the Discovery Conference on November 1, 2017 with the Honorable Alicia Rosenberg filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Wang, Kenneth) Modified on 12/22/2017 (mp). (Entered: 10/30/2017)
11/01/2017	<u>337</u>	<i>Defendants' Request to Cancel the Discovery Conference Scheduled for November 1, 2017, at 2:00 p.m.</i> (Wang, Kenneth) (Entered: 11/01/2017)
11/13/2017	<u>338</u>	Joint STIPULATION for Order to Further Extend the Case Deadlines Due to Possible Settlement filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Proposed Order)(Wang, Kenneth) (Entered: 11/13/2017)
11/15/2017	<u>339</u>	ORDER RE: STIPULATION <u>338</u> by Judge Fernando M. Olguin. The Status Conference is hereby continued to 3/8/2018 at 10:00 AM before Judge Fernando M. Olguin. *See order for continued deadlines and requirements.* (vdr) (Entered: 11/15/2017)
12/12/2017	<u>340</u>	TEXT ONLY SCHEDULING NOTICE by Magistrate Judge Alicia G. Rosenberg re: Report <u>336</u> . Upon the parties request, the Court schedules a telephonic discovery conference for 12/15/2017 at 03:30 PM before Magistrate Judge Alicia G. Rosenberg. The call-in information is as follows: Call-in Number: (877) 810-9415; Access code: 2244923#. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.

		(mp) TEXT ONLY ENTRY (Entered: 12/12/2017)
12/15/2017	<u>341</u>	MINUTES OF Discovery Hearing held before Magistrate Judge Alicia G. Rosenberg. TELEPHONIC DISCOVERY HEARING. The hearing is held. The Court hears oral arguments as reflected on the record. The discovery conference is continued to December 22, 2017 at 9:30 a.m. The call-in information is as follows: Call-in Number: (877) 848-7030; Access Code: 5141761#. Court Recorder: CS 12/15/2017. (mp) (Entered: 12/19/2017)
12/22/2017	<u>342</u>	MINUTES OF granting in part and denying in part <u>336</u> MOTION for Protective Order; Discovery Hearing held before Magistrate Judge Alicia G. Rosenberg. DEFENDANTS' REQUEST FOR PROTECTIVE ORDER (Dkt. No. 336). IT IS ORDERED that Defendants' motion for protective order is GRANTED IN PART AND DENIED IN PART as follows: (See Order for details.) Court Recorder: CS 12/22/2017. (mp) (Entered: 12/22/2017)
01/12/2018	<u>343</u>	EX PARTE APPLICATION to Dismiss Case <i>for Order Dismissing the Second Amended Complaint as Moot or, in the Alternative, Order Shortening Time to Hear Defendants' Motion to Dismiss</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Declaration of Kenneth K. Wang, # <u>3</u> Declaration of Jacey Cooper, # <u>4</u> Proposed Order, # <u>5</u> Proof of Service) (Wang, Kenneth) (Entered: 01/12/2018)
01/16/2018	<u>344</u>	MEMORANDUM in Opposition to EX PARTE APPLICATION to Dismiss Case <i>for Order Dismissing the Second Amended Complaint as Moot or, in the Alternative, Order Shortening Time to Hear Defendants' Motion to Dismiss</i> <u>343</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration Declaration of Elissa Gershon ISO with Exhibits A-H)(Gershon, Elissa) (Entered: 01/16/2018)
01/16/2018	<u>345</u>	DENIED BY ORDER OF THE COURT by Judge Fernando M. Olguin re Defendants EX PARTE APPLICATION <u>343</u> . (jp) (Entered: 01/16/2018)
02/07/2018	<u>346</u>	NOTICE of Voluntary Dismissal filed by Defendants Jennifer Kent, State of California Department of Health Care Services. Dismissal is without. (Attachments: # <u>1</u> Proposed Order re Stipulation of Dismissal)(Wang, Kenneth) (Entered: 02/07/2018)
02/09/2018	<u>347</u>	MINUTE ORDER IN CHAMBERS by Judge Fernando M. Olguin. The court sets a Status Conference for 2/22/2018 at 10:00 AM before Judge Fernando M. Olguin. (vdr) (Entered: 02/09/2018)
02/12/2018	<u>348</u>	STATEMENT RE STATUS CONFERENCE AND REQUEST FOR BIFURCATION OF MOTION AND BRIEFING SCHEDULE ON PLAINTIFFS MOTION FOR REASONABLE ATTORNEYS FEES AND COSTS filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas re: Minutes of In Chambers Order/Directive – no proceeding held, Set/Reset Hearing <u>347</u> . (Attachments: # <u>1</u> Declaration and Exhibits A-H)(Gershon, Elissa) (Entered: 02/12/2018)
02/16/2018	<u>349</u>	STATEMENT Defendants' Statement for the Status Conference on February 22, 2018 filed by Defendants Jennifer Kent, State of California Department of Health Care Services (Wang, Kenneth) (Entered: 02/16/2018)
02/22/2018	<u>350</u>	MINUTES OF STATUS CONFERENCE held before Judge Fernando M. Olguin: Court and counsel confer regarding <u>346</u> . The court requires supplemental briefing. The court will issue a separate briefing schedule to address the attorney's fees and costs issues raised by the parties. Court Reporter: Maria Bustillos. (rfi) (Entered: 02/22/2018)
02/26/2018	<u>351</u>	MINUTE ORDER IN CHAMBERS RE: BRIEFING SCHEDULE by Judge Fernando M. Olguin. *See order for deadlines re any motion for attorney's fees. (vdr) (Entered: 02/26/2018)
03/14/2018	<u>352</u>	REQUEST to Dismiss Case <i>Voluntarily without Prejudice pursuant to FRCP 41(a)(2)</i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Supplement Petition re Dismissal of Claims re Plaintiff Thomas, # <u>2</u> Declaration of Elissa Gershon and Exhibits A-C, # <u>3</u> Declaration of Beverly Thomas, # <u>4</u> Proposed Order) (Gershon, Elissa) (Entered: 03/14/2018)

03/15/2018	<u>353</u>	Defendants' Response to Plaintiffs' Request for Voluntary Dismissal and Objections to the Information Provided in Support of the Voluntary Dismissal re: REQUEST to Dismiss Case <i>Voluntarily without Prejudice pursuant to FRCP 41(a)(2)</i> <u>352</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration of Deputy Attorney General Kenneth K. Wang in Support of Defendants' Response to Plaintiffs' Request for Voluntary Dismissal and Objections to the Information Provided in Support of the Voluntary Dismissal, # <u>2</u> Affidavit Proof of Service)(Wang, Kenneth) (Entered: 03/15/2018)
03/16/2018	<u>354</u>	NOTICE OF MOTION AND MOTION to Recover Fees and Costs (filed erroneously as MEMORANDUM in Support Defendants' Notice of and Motion to Recover Fees and Costs) filed by Defendants Jennifer Kent, State of California Department of Health Care Services; set for hearing on 4/26/2018 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Declaration of Deputy Attorney General Kenneth K. Wang in Support of Defendants' Motion to Recover Fees and Costs, # <u>2</u> Proposed Order For Defendants' Motion to Recover Fees and Costs, # <u>3</u> Affidavit Proof of Service)(Wang, Kenneth) Modified on 3/19/2018 (cw). Modified on 3/22/2018 (vdr). (Entered: 03/16/2018)
03/16/2018	<u>355</u>	NOTICE OF MOTION AND MOTION for Attorney Fees Pursuant to C.C.P. 1021.5 and Costs filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. Motion set for hearing on 4/26/2018 at 10:00 AM before Judge Fernando M. Olguin. (Attachments: # <u>1</u> Declaration of Elissa Gershon in Support of Fee Motion, # <u>2</u> Exhibit A–K to Gershon Declaration, # <u>3</u> Exhibit L–U to Gershon Declaration, # <u>4</u> Exhibit V to Gershon Declaration, # <u>5</u> Exhibit W–Z to Gershon Declaration, # <u>6</u> Exhibit AA–MM to Gershon Declaration, # <u>7</u> Proposed Order) (Gershon, Elissa) Modified on 3/22/2018 (vdr). (Entered: 03/16/2018)
03/19/2018	<u>356</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Motion for Attorney Fees <u>354</u> , <u>355</u> . The following error(s) was/were found: Hearing information is not timely. Pursuant to the Courts Procedures and Schedules motion was not noticed for the first available motion date. The Motions have been noticed beyond 35 days. In response to this notice, the Court may: (1) order an amended or correct document to be filed; (2) order the document stricken; or (3) take other action as the Court deems appropriate. (iv) (Entered: 03/19/2018)
03/19/2018	<u>357</u>	NOTICE OF CLERICAL ERROR: Due to clerical error Re: Deficiency in Electronically Filed Documents (G–112A) – <u>356</u> . Motions were noticed properly pursuant to the Court's 2/26/18 Briefing Schedule. (iv) (Entered: 03/19/2018)
03/19/2018	<u>358</u>	ORDER DISMISSING CASE by Judge Fernando M. Olguin: Pursuant to plaintiffs' Notice of Request for Voluntary Dismissal Without Prejudice <u>352</u> , the court dismisses all claims, without prejudice. *See Order for details.* (Case Terminated. Made JS–6.) (cw) (Entered: 03/19/2018)
04/05/2018	<u>359</u>	OPPOSITION to for Attorney Fees <u>354</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration with Exhibits A–C)(Gershon, Elissa) (Entered: 04/05/2018)
04/05/2018	<u>360</u>	MEMORANDUM in Opposition to NOTICE OF MOTION AND MOTION for Attorney Fees <i>Pursuant to C.C.P. 1021.5 and Costs</i> <u>355</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration of Deputy Attorney General Kenneth K. Wang in Support of Defendants' Opposition to Plaintiff's Motion for Attorneys' Fees and Costs, # <u>2</u> Exhibit A–I to Declaration of Deputy Attorney General Kenneth K. Wang's Declaration in Support of Opposition to Plaintiff's Motion for Attorneys' Fees and Costs, # <u>3</u> Declaration of Sarah Brooks in Support of Defendants' Opposition to Plaintiff's Motion for Attorneys' Fees and Costs, # <u>4</u> Exhibit A to Declaration of Sarah Brook's Declaration in Support of Opposition to Plaintiff's Motion for Attorneys' Fees and Costs)(Wang, Kenneth) (Entered: 04/05/2018)
04/05/2018	<u>361</u>	DECLARATION of Jennifer Chumura in Support of Defendants' Oppoistion to Plaintiffs' Motion for Attorneys' Fees and Costs NOTICE OF MOTION AND MOTION for Attorney Fees <i>Pursuant to C.C.P. 1021.5 and Costs</i> <u>355</u> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Exhibit A to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>2</u> Exhibit

		B to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>3</u> Exhibit C to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>4</u> Exhibit D to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>5</u> Exhibit E to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>6</u> Exhibit F to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>7</u> Exhibit G to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>8</u> Exhibit H to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>9</u> Exhibit I to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>10</u> Exhibit J to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>11</u> Exhibit K to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>12</u> Exhibit L to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>13</u> Exhibit M to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>14</u> Exhibit N to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>15</u> Exhibit O to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>16</u> Exhibit P to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>17</u> Exhibit Q to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>18</u> Exhibit R1 to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>19</u> Exhibit R2 to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>20</u> Exhibit S to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>21</u> Exhibit T to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>22</u> Exhibit U1 to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>23</u> Exhibit U2 to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs, # <u>24</u> Exhibit V to Declaration of Jennifer Chumura in Support of Defendants' Opposition to Plaintiffs' Motion for Attorneys' Fees and Costs)(Wang, Kenneth) (Entered: 04/05/2018)
04/12/2018	<u>362</u>	REPLY IN SUPPORT for Attorney Fees <u>354</u> <i>MOTION TO RECOVER ATTORNEYS' FEES AND COSTS</i> filed by Defendants Jennifer Kent, State of California Department of Health Care Services. (Attachments: # <u>1</u> Declaration OF SARAH BROOKS IN SUPPORT OF DEFENDANTS' REPLY FOR DEFENDANTS' MOTION TO RECOVER ATTORNEYS' FEES AND COSTS, # <u>2</u> Declaration OF DEPUTY ATTORNEY GENERAL KENNETH K. WANG IN SUPPORT OF DEFENDANTS' REPLY FOR DEFENDANTS' MOTION TO RECOVER ATTORNEYS' FEES AND COSTS and EXHIBITS A THROUGH D)(Wang, Kenneth) (Entered: 04/12/2018)
04/12/2018	<u>363</u>	NOTICE OF ERRATA filed by Defendants Jennifer Kent, State of California Department of Health Care Services. correcting Declaration (Motion related),,,,,,,,,,,,,, <u>361</u> <i>NOTICE OF ERRATA TO EXHIBIT 'T' OF THE DECLARATION OF JENNIFER CHMURA IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS</i> (Wang, Kenneth) (Entered: 04/12/2018)
04/12/2018	<u>364</u>	REPLY In Support Of NOTICE OF MOTION AND MOTION for Attorney Fees Pursuant to C.C.P. 1021.5 and Costs <u>355</u> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Attachments: # <u>1</u> Declaration of Elissa Gershon ISO Reply with Exhibits A-C)(Gershon, Elissa) (Entered: 04/12/2018)
04/12/2018	<u>365</u>	PLAINTIFFS' OBJECTIONS TO DEFENDANTS DECLARATIONS IN OPPOSITION TO PLAINTIFFS MOTION FOR ATTORNEYS FEES AND COSTS in Support of re: NOTICE OF MOTION AND MOTION for Attorney Fees Pursuant

		<i>to C.C.P. 1021.5 and Costs <u>355</u></i> filed by Plaintiffs Sean Benison, Juan Palomares, Jerry Thomas. (Gershon, Elissa) (Entered: 04/12/2018)
04/16/2018	<u>366</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Joanna Berney Hull counsel for Interested Party United States of America. Joanna Hull will no longer receive service of documents from the Clerks Office for the reason indicated in the G-123 Notice. Joanna Hull is no longer counsel of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Interested Party Joanna Hull. (Hull, Joanna) (Entered: 04/16/2018)
04/19/2018	367	TEXT ONLY ENTRY by Chambers of Judge Fernando M. Olguin. On the court's own motion, the Motion to Recover Fees and Costs <u>354</u> and the Motion for Attorney Fees <u>355</u> are taken off the 4/26/2018 calendar and placed under submission. No appearances are required on 4/26/2018. An order with the court's rulings will issue. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (vdr) TEXT ONLY ENTRY (Entered: 04/19/2018)
05/30/2019	<u>368</u>	ORDER RE: PENDING MOTIONS by Judge Fernando M. Olguin. Plaintiffs' Motion for Attorney's Fees <u>355</u> is granted. Defendants' Motion to Recover Fees and Costs <u>354</u> is denied. Plaintiffs shall file their motion for attorney's fees and costs no later than July 31, 2019. (iv) (Entered: 05/30/2019)