

(FMOx),CLOSED,DISCOVERY,STAYED

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF  
CALIFORNIA (Western Division – Los Angeles)  
CIVIL DOCKET FOR CASE #: 2:11-cv-01676-SVW-FMO**

Sukhjinder S Basra v. Matthew Cate et al  
Assigned to: Judge Stephen V. Wilson  
Referred to: Magistrate Judge fernando m. olguin  
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 02/25/2011  
Date Terminated: 06/06/2011  
Jury Demand: Defendant  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Sukhjinder S Basra**

represented by **Cassandra E Hooks**  
Alston & Bird LLP  
333 S Hope Street 16th Floor  
Los Angeles, CA 90071  
213.576.1000  
Fax: 213.576.1100  
Email: [cassandra.hooks@alston.com](mailto:cassandra.hooks@alston.com)  
*ATTORNEY TO BE NOTICED*

**Daniel Mach**  
American Civil Liberties Union  
Program on Freedom of Religion and  
Belief  
915 15th Street NW  
Washington, DC 20005  
202-675-2330  
Fax: 202-546-0738  
Email: [dmach@aclu.org](mailto:dmach@aclu.org)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Harsimran Kaur Dang**  
The Sikh Coalition  
39465 Paseo Padre Parkway Suite 3550  
Fremont, CA 94538  
510-659-0900  
Fax: 510-952-3900  
*ATTORNEY TO BE NOTICED*

**Jonathan Mark Gordon**  
Alston and Bird LLP  
333 S Hope Street 16th FLOOR  
Los Angeles, CA 90071  
213-576-1000  
Fax: 213-576-1100  
Email: [jonathan.gordon@alston.com](mailto:jonathan.gordon@alston.com)  
*ATTORNEY TO BE NOTICED*

**Leib Mitchell Lerner**  
Alston & Bird  
333 South Hope Street 16th Floor  
Los Angeles, CA 90071-1406  
213-576-1000  
Fax: 213-576-1100  
Email: [leib.lerner@alston.com](mailto:leib.lerner@alston.com)  
*ATTORNEY TO BE NOTICED*

**Peter J Eliasberg**  
ACLU Foundation of Southern California  
1313 West Eighth Street

Los Angeles, CA 90017  
213-977-9500  
Fax: 213-977-5299  
Email: [peliasberg@aclu-sc.org](mailto:peliasberg@aclu-sc.org)  
*ATTORNEY TO BE NOTICED*

V.

**Intervenor Plaintiff**

**United States of America**

represented by **Emily Gunston**  
US Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue NW  
Washington, DC 20530  
202-514-6255  
Fax: 202-514-4883  
Email: [emily.gunston@usdoj.gov](mailto:emily.gunston@usdoj.gov)  
*ATTORNEY TO BE NOTICED*

**Erika Johnson-Brooks**  
AUSA – Office of US Attorney  
Civil Division  
300 North Los Angeles Street Suite 7516  
Los Angeles, CA 90012  
213-894-0474  
Fax: 213-894-7819  
Email: [usacac.civil@usdoj.gov](mailto:usacac.civil@usdoj.gov)  
*ATTORNEY TO BE NOTICED*

**Samantha K Trepel**  
US Department of Justice  
950 Pennsylvania Avenue NW PHB 5516  
Washington, DC 20530  
202-514-6255  
Email: [samantha.trepel@usdoj.gov](mailto:samantha.trepel@usdoj.gov)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Matthew Cate**

*Secretary of the California Department of  
Corrections and Rehabilitation, in his  
official capacity*

represented by **Michelle A Des Jardins**  
CAAG – Office of Attorney General  
California Department of Justice  
110 West A Street Suite 1100  
P O Box 85266  
San Diego, CA 92101  
619-645-2295  
Fax: 619-645-2581  
Email: [michelle.desjardins@doj.ca.gov](mailto:michelle.desjardins@doj.ca.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Terri Gonzalez**

*individual capacity*

represented by **Michelle A Des Jardins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Terri Gonzalez**

*Warden of the California Mens Colony, in*

represented by **Michelle A Des Jardins**  
(See above for address)

*her official capacity**LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

V.

**Intervenor Defendant****State of California****Intervenor Defendant****Governor Jerry Brown***in his official capacity***Intervenor Defendant****California Department of Corrections  
and Rehabilitation****Intervenor Defendant****California Mens Colony**

Date Filed	#	Docket Text
02/25/2011	<u>1</u>	COMPLAINT against Defendants Matthew Cate, Terri Gonzalez(individual capacity), Terri Gonzalez(Warden of the California Mens Colony, in her official capacity). Case assigned to Judge Stephen V. Wilson for all further proceedings. Discovery referred to Magistrate Judge Fernando M. Olguin.(Filing fee \$ 350:PAID), filed by plaintiff Sukhjinder S Basra.(ghap) (ds). (Entered: 02/28/2011)
02/25/2011		21 DAY Summons Issued re Complaint – (Discovery) <u>1</u> as to Defendants Matthew Cate, Terri Gonzalez(individual capacity), Terri Gonzalez(Warden of the California Mens Colony, in her official capacity). (ghap) (Entered: 02/28/2011)
02/25/2011	<u>2</u>	CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiff Sukhjinder S Basra. (ghap) (ds). (Entered: 02/28/2011)
02/25/2011	<u>3</u>	NOTICE OF FILING FEE DUE on Pro Hac Vice Application mailed to Daniel Mach for Plaintiff Sukhjinder S Basra. Your Pro Hac Vice application has not been received by the court. Please return you completed Application of Non-Resident Attorney to Appear in a Specific Case, form G-64, or a copy of the Notice of Electronic Filing of your application and the \$275.00 fee and this notice immediately. Out-of-state federal government attorneys who are not employed by the U.S. Department of Justice are required to file a Pro Hac Vice application; no filing fee is required. (ghap) (Entered: 02/28/2011)
02/28/2011	<u>4</u>	First APPLICATION for attorney Daniel Mach to Appear Pro Hac Vice (PHV FEE NOT PAID.) filed by plaintiff Sukhjinder S Basra. (Attachments: # <u>1</u> Proposed Order)(Lerner, Leib) (Entered: 02/28/2011)
03/01/2011	<u>5</u>	NEW CASE ORDER by Judge Stephen V. Wilson, (im) (Entered: 03/01/2011)
03/02/2011	<u>6</u>	ORDER by Judge Stephen V. Wilson: granting <u>4</u> Application to Appear Pro Hac Vice by Attorney Daniel Mach on behalf of Plaintiff Sukhjinder S. Basra, designating Leib M. Lerner as local counsel. (lt) (Entered: 03/02/2011)
03/03/2011	<u>7</u>	NOTICE OF MOTION AND MOTION for Preliminary Injunction re: Violation of the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc et seq. filed by Plaintiff Sukhjinder S Basra. Motion set for hearing on 4/4/2011 at 01:30 PM before Judge Stephen V. Wilson. (Attachments: # <u>1</u> Memorandum Of Points And Authorities In Support Of Plaintiff Sukhjinder S. Basra's Motion For A Preliminary Injunction, # <u>2</u> Declaration Of Sukhjinder S. Basra In Support Of Motion For Preliminary Injunction, # <u>3</u> Declaration Of Toni V. Bair In Support Of Plaintiff Sukhjinder S. Basra's Motion For A Preliminary Injunction, # <u>4</u> Declaration Of Professor Gurinder Singh Mann In Support Of Plaintiff Sukhjinder S. Basra's Motion For A Preliminary Injunction, # <u>5</u> Proposed Order Granting

		Plaintiff Sukhjinder S. Basra's Motion For A Preliminary Injunction)(Hooks, Cassandra) (Entered: 03/03/2011)
03/11/2011	<u>8</u>	EX PARTE APPLICATION to Continue Preliminary Injunction Hearing from April 4, 2011 to April 18, 2011 filed by Defendants Matthew Cate, Terri Gonzalez(individual capacity), Terri Gonzalez(Warden of the California Mens Colony, in her official capacity). (Attachments: # <u>1</u> Declaration of Michelle Des Jardins in Support of Ex Parte Application for Continuance of Preliminary Injunction Hearing, # <u>2</u> Proposed Order Granting Continuance)(Des Jardins, Michelle) (Entered: 03/11/2011)
03/14/2011	<u>9</u>	OPPOSITION EX PARTE APPLICATION TO CONTINUE PRELIMINARY INJUNCTION HEARING re: EX PARTE APPLICATION to Continue Preliminary Injunction Hearing from April 4, 2011 to April 18, 2011 <u>8</u> filed by Plaintiff Sukhjinder S Basra. (Attachments: # <u>1</u> Declaration of Peter J. Eliasberg)(Hooks, Cassandra) (Entered: 03/14/2011)
03/15/2011	<u>11</u>	MOTION to Intervene filed by movant United States of America. Motion set for hearing on 4/25/2011 at 01:30 PM before Judge Stephen V. Wilson. Lodged order, complaint in intervention. (Attachments: # <u>1</u> lodged complaint in intervention)(lc) (Entered: 03/16/2011)
03/15/2011	<u>12</u>	NOTICE OF MOTION re MOTION to Intervene <u>11</u> set for 4/25/11 1:30 PM filed by Movant United States of America. (lc) (Entered: 03/16/2011)
03/15/2011	<u>13</u>	MEMORANDUM in Support of MOTION to Intervene <u>11</u> filed by Movant United States of America. (lc) (Entered: 03/16/2011)
03/16/2011	<u>10</u>	ORDER GRANTING CONTINUANCE by Judge Stephen V. Wilson <u>8</u> . The Motion for Preliminary Injunction hearing is continued to 4-11-11 at 1:30 p.m. (im) (Entered: 03/16/2011)
03/17/2011	<u>14</u>	STATEMENT of Non-Opposition To United States' MOTION to Intervene <u>11</u> filed by Plaintiff Sukhjinder S Basra. (Hooks, Cassandra) (Entered: 03/17/2011)
03/21/2011	<u>15</u>	Joint STIPULATION to Continue Motion for Preliminary Injunction Hearing from April 11, 2011 at 1:30 p.m. to April 25, 2011 at 1:30 p.m. Re: MOTION for Preliminary Injunction re: Violation of the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc et seq. <u>7</u> filed by Defendants Matthew Cate, Terri Gonzalez(individual capacity), Terri Gonzalez(Warden of the California Mens Colony, in her official capacity). (Attachments: # <u>1</u> Proposed Order Granting Two-Week Continuance of Motion for Preliminary Injunction)(Des Jardins, Michelle) (Entered: 03/21/2011)
03/21/2011	<u>16</u>	ANSWER to Complaint – (Discovery), Complaint – (Discovery) <u>1</u> with JURY DEMAND filed by Defendants Matthew Cate, Terri Gonzalez(individual capacity), Terri Gonzalez(Warden of the California Mens Colony, in her official capacity).(Des Jardins, Michelle) (Entered: 03/21/2011)
03/21/2011	<u>17</u>	PROOF OF SERVICE Executed by Plaintiff Sukhjinder S Basra, upon Defendant Matthew Cate served on 2/28/2011, answer due 3/21/2011. Service of the Summons and Complaint were executed upon Matthew Cate, Secretary of the CA Dept. of Corrections and Rehabilitation, in his official Capacity in compliance with Federal Rules of Civil Procedure by substituted service at business address and by also mailing a copy. Original Summons returned. (Hooks, Cassandra) (Entered: 03/21/2011)
03/21/2011	<u>18</u>	PROOF OF SERVICE Executed by Plaintiff Sukhjinder S Basra, upon Defendant Terri Gonzalez(Warden of the California Mens Colony, in her official capacity) served on 3/1/2011, answer due 3/22/2011. Service of the Summons and Complaint were executed upon Terri Gonzalez, Warden of the California Men's Colony, in her official and individual capacities in compliance with Federal Rules of Civil Procedure by personal service. Original Summons returned. (Hooks, Cassandra) (Entered: 03/21/2011)
03/22/2011	<u>19</u>	ORDER RE: STATUS CONFERENCE by Judge Stephen V. Wilson. IT IS HEREBY ORDERED that a Status Conference be set for Monday, April 25, 2011 at 1:30 p.m. before the Honorable Stephen V. Wilson. The attorneys attending this

		conference MUST be those who are in charge of the conduct of the trial. Attendance is mandatory. (im) (Entered: 03/22/2011)
03/23/2011	<u>20</u>	NOTICE filed by Plaintiff Sukhjinder S Basra. <i>of Status Conference</i> (Hooks, Cassandra) (Entered: 03/23/2011)
03/23/2011	<u>21</u>	ORDER GRANTING TWO-WEEK CONTINUANCE OF MOTION FOR PRELIMINARY INJUNCTION by Judge Stephen V. Wilson <u>15</u> . The Court finds good cause to grant this continuance and order the hearing continued to April 25, 2011 at 1:30 pm. (im) (Entered: 03/24/2011)
04/01/2011	<u>22</u>	Second STIPULATION to Continue Motion for Preliminary Injunction Hearing from April 25, 2011 at 1:30 p.m. to May 23, 2011 at 1:30 p.m. Re: MOTION for Preliminary Injunction re: Violation of the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc et seq. <u>7</u> filed by Defendants Matthew Cate, Terri Gonzalez(individual capacity), Terri Gonzalez(Warden of the California Mens Colony, in her official capacity). (Attachments: # <u>1</u> Proposed Order Granting Continuance of Motion for Preliminary Injunction)(Des Jardins, Michelle) (Entered: 04/01/2011)
04/04/2011	<u>23</u>	NOTICE OF NON-OPPOSITION to MOTION to Intervene <u>11</u> filed by Defendants Matthew Cate, Terri Gonzalez, Terri Gonzalez. (Des Jardins, Michelle) (Entered: 04/04/2011)
04/05/2011	<u>24</u>	ORDER GRANTING CONTINUANCE OF MOTION FOR PRELIMINARY INJUNCTION by Judge Stephen V Wilson <u>22</u> . The Motion for Preliminary Injunction and Status Conference are continued to May 23, 2011 at 1:30 pm. (im) (Entered: 04/06/2011)
04/06/2011	<u>25</u>	MINUTES (IN CHAMBERS) by Judge Stephen V. Wilson <u>11</u> . In light of Plaintiff's and Defendants' statements of non-opposition to the United States' motion to Intervene, the Motion is GRANTED. The hearing on the matter set for April 25, 2011 is VACATED. (im) (Entered: 04/06/2011)
04/07/2011	<u>26</u>	NOTICE of Appearance filed by attorney Samantha K Trepel on behalf of Movant United States of America (Trepel, Samantha) (Entered: 04/07/2011)
04/18/2011	<u>27</u>	COMPLAINT IN INTERVENTION against Defendants Matthew Cate, Secretary of the California Department of Corrections and Rehabilitation, in his official capacity, Terri Gonzalez, Warden of the California Men's Colony, in her official and individual capacities, the State of California, Governor Jerry Brown, in his official capacity, the California Department of Corrections and Rehabilitation, and the California Mens Colony; filed by Plaintiff in Intervention United States of America. (gk) (Additional attachment(s) added on 4/27/2011: # <u>1</u> 21 day Summons Issued) (pj). (Entered: 04/20/2011)
04/18/2011		21-Day Summons Issued re Complaint in Intervention <u>27</u> as to Defendants Matthew Cate, Secretary of the California Department of Corrections and Rehabilitation, in his official capacity, Terri Gonzalez, Warden of the California Men's Colony, in her official and individual capacities, the State of California, Governor Jerry Brown, in his official capacity, the California Department of Corrections and Rehabilitation, and the California Mens Colony. (gk) (Entered: 04/20/2011)
05/02/2011	<u>28</u>	Third STIPULATION to Continue Motion for Preliminary Injunction Hearing from May 23, 1011 at 1:30 p.m. to June 6, 2011 at 1:30 p.m. Re: MOTION for Preliminary Injunction re: Violation of the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc et seq. <u>7</u> filed by Defendants Matthew Cate, Terri Gonzalez(Warden of the California Mens Colony, in her official capacity), Terri Gonzalez(individual capacity). (Attachments: # <u>1</u> Proposed Order Granting Continuance of Motion for Preliminary Injunction)(Des Jardins, Michelle) (Entered: 05/02/2011)
05/03/2011	<u>29</u>	WAIVER OF SERVICE Returned Executed filed by Intervenor United States of America. upon Terri Gonzalez(individual capacity) waiver sent by Plaintiff on 4/22/2011, answer due 6/21/2011. Waiver of Service signed by Michelle Des Jardins. (Johnson-Brooks, Erika) (Entered: 05/03/2011)

05/03/2011	<u>30</u>	WAIVER OF SERVICE Returned Executed filed by Intervenor United States of America. upon Matthew Cate waiver sent by Plaintiff on 4/22/2011, answer due 6/21/2011. Waiver of Service signed by Michelle Des Jardins. (Johnson-Brooks, Erika) (Entered: 05/03/2011)
05/03/2011	<u>31</u>	ORDER GRANTING CONTINUANCE OF MOTION FOR PRELIMINARY INJUNCTION by Judge Stephen V. Wilson, re Stipulation to Continue,, <u>28</u> . The parties have stipulated to a two-week continuance of Plaintiffs Motion for Preliminary Injunction currently set for hearing on May 23, 2011 at 1:30 p.m.before the Honorable Stephen V. Wilson. This Court finds good cause to grant this continuance and orders the hearing continued to June 6, at 1:30 p.m. (pj) (Entered: 05/05/2011)
05/16/2011	<u>32</u>	OPPOSITION to MOTION for Preliminary Injunction re: Violation of the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc et seq., <u>7</u> filed by Defendants Matthew Cate, Terri Gonzalez. (Attachments: # <u>1</u> Declaration of Randolph Grounds in Support of Opposition to Motion for Preliminary Injunction, # <u>2</u> Declaration Exhibit 1, # <u>3</u> Declaration Exhibit 2 &3)(Des Jardins, Michelle) (Entered: 05/16/2011)
05/18/2011	<u>33</u>	Joint STIPULATION to Continue Status Conference from May 23, 2011 at 1:30 p.m. to June 6, 2011 at 1:30 p.m. filed by Defendants Matthew Cate, Terri Gonzalez(Warden of the California Mens Colony, in her official capacity), Terri Gonzalez(individual capacity). (Attachments: # <u>1</u> Proposed Order Granting Continuance of Status Conference)(Des Jardins, Michelle) (Entered: 05/18/2011)
05/19/2011	<u>34</u>	NOTICE of Appearance filed by attorney Samantha K Trepel on behalf of Intervenor Plaintiff United States of America (Trepel, Samantha) (Entered: 05/19/2011)
05/20/2011	<u>35</u>	ORDER by Judge Stephen V. Wilson, re Stipulation to Continue, <u>33</u> . The parties have stipulated to a continuance of the status conference currently set for May 23, 2011 at 1:30 p.m. before the Honorable Stephen V. Wilson. This Court finds good cause to grant this continuance and orders the conference continued to June 6, at 1:30 p.m. (pj) (Entered: 05/20/2011)
05/23/2011	<u>36</u>	RESPONSE IN SUPPORT of MOTION for Preliminary Injunction re: Violation of the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc et seq., <u>7</u> filed by Intervenor Plaintiff United States of America. (Johnson-Brooks, Erika) (Entered: 05/23/2011)
05/23/2011	<u>37</u>	RESPONSE IN SUPPORT of MOTION for Preliminary Injunction re: Violation of the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc et seq., <u>7</u> filed by Plaintiff Sukhjinder S Basra. (Attachments: # <u>1</u> Declaration of Toni V. Bair in Support of Plaintiff's Motion for a Preliminary Injunction)(Hooks, Cassandra) (Entered: 05/23/2011)
05/23/2011	<u>38</u>	DECLARATION of JOHN CLARK re Response in Support of Motion <u>36</u> filed by Intervenor Plaintiff United States of America. (Johnson-Brooks, Erika) (Entered: 05/23/2011)
05/26/2011	<u>39</u>	Objection re: MOTION for Preliminary Injunction re: Violation of the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc et seq., <u>7</u> <i>re United States' Brief in Support of Plaintiff Sukhjinder S. Basra's Motion for Preliminary Injunction</i> filed by Defendants Matthew Cate, Terri Gonzalez. (Des Jardins, Michelle) (Entered: 05/26/2011)
06/05/2011	<u>40</u>	STIPULATION to Stay Case pending Completion of Terms of Settlement Agreement filed by Plaintiff Sukhjinder S Basra. (Attachments: # <u>1</u> Exhibit Settlement Agreement, # <u>2</u> Proposed Order)(Eliasberg, Peter) (Entered: 06/05/2011)
06/06/2011	<u>41</u>	MINUTES OF <u>7</u> MOTION for Preliminary Injunction re Violation of the Religious Land Use and Institutionalized Persons Act. filed by Plaintiff Sukhjinder S. Basra NEW CASE STATUS CONFERENCE, <u>7</u> Motion Hearing held before Judge Stephen V. Wilson.; Status Conference held before Judge Stephen V. Wilson: Hearing and conference held. The motion is submitted. Order to issue.Court Reporter: Deborah Gackle. (pj) (Entered: 06/07/2011)

06/06/2011	<u>42</u>	ORDER GRANTING STAY OF ALL PROCEEDINGS by Judge Stephen V. Wilson (MD JS-6. Case Terminated) (pj) (Entered: 06/07/2011)
05/15/2012	<u>43</u>	STIPULATION to Dismiss Case pursuant to FRCP 41(a)(1)(A)(ii) filed by Plaintiff & Defendants Sukhjinder S Basra, Matthew Cate, Terri Gonzalez (Warden of the California Mens Colony, in her official capacity), United States of America. (Attachments: # <u>1</u> Proposed Order)(Des Jardins, Michelle) (Entered: 05/15/2012)
05/18/2012	<u>44</u>	ORDER DISMISSING ACTION by Judge Stephen V. Wilson. The Parties have stipulated to a dismissal of this action with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) (bp) (Entered: 05/18/2012)