

(CTx),CLOSED,DISCOVERY,REOPENED

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF
CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:04-cv-05995-GHK-CT**

George Johnson v. Jeanne Woodford et al
Assigned to: Judge George H. King
Referred to: Magistrate Judge Carolyn Turchin
Related Cases: [2:05-cv-06069-GHK-CT](#)
[2:06-cv-01809-GHK-CT](#)

Date Filed: 07/22/2004
Date Terminated: 10/10/2010
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Case in other court: 9th CCA, 06-56264
Cause: 42:1983 Prisoner Civil Rights

Plaintiff

George I Johnson

represented by **George I Johnson**
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V.

Defendant

Jeanne Woodford
Director of CDC
TERMINATED: 09/06/2007

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Defendant

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Defendant

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Defendant

Mike Yarborough
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Susan E Coleman
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TERMINATED: 12/22/2010

Date Filed	#	Docket Text
07/22/2004		LODGED COMPLAINT fwd to Duty Magistrate Judge: CT. filed by plaintiff George I Johnson.(jag,) (Entered: 07/28/2004)
07/22/2004	1	REQUEST to Proceed without Prepayment of Filing Fees, Declaration in Support filed by plaintiff George I Johnson. (jag,) (Entered: 07/28/2004)
08/04/2004	<u>2</u>	ORDER by Judge Consuelo B. Marshall, DENYING REQUEST to Proceed without Prepayment of Filing Fees, Declaration in Support 1 . Recommended by Magistrate Judge Carolyn Turchin. (Made JS-6. Case Terminated.)(jag,) (Entered: 08/06/2004)
08/06/2004		RETURNED lodged complaint and copy of Order to plaintiff George I Johnson. (jag,) (Entered: 08/06/2004)
09/08/2004	3	REQUEST to Proceed In Forma Pauperis, Declaration in Support filed by Plaintiff George I Johnson. (pbap,) (Entered: 09/13/2004)
09/20/2004	<u>4</u>	ORDER by Judge Consuelo B. Marshall, denying 3 Request for Leave to Proceed In Forma Pauperis. Recommended by Magistrate Judge Carolyn Turchin. (jag,) (Entered: 10/01/2004)
10/22/2004	5	DECLARATION IN SUPPORT OF REQUEST to Proceed without Prepayment of Filing Fees filed by plaintiff George I. Johnson. (gk,) (Entered: 10/25/2004)
10/27/2004	6	ORDER by Judge Carolyn Turchin,granting 5 Request for Leave to Proceed without Prepayment of Filing Fee. An initial partial filing fee of \$12.00 must be paid within 30 days of the date this order is filed. Assigning Judge George H King.

		MADE JS-5. (jag,) (Entered: 11/02/2004)
10/27/2004	7	CIVIL RIGHTS COMPLAINT filed against defendant J Hackett, M P Monteiro, L Parker, Jeanne Woodford, Mike Yarborough pursuant to 42 USC Section 1983. Case assigned to Judge George H. King and referred to Magistrate Judge Carolyn Turchin. (Filing fee IFP Granted) filed by plaintiff George I Johnson.(jag,) (Entered: 11/02/2004)
10/27/2004	8	NOTICE OF REFERENCE TO A U.S. MAGISTRATE JUDGE. Pursuant to the provisions of the Local Rules, the within action has been assigned to the calendar of Judge George H. King and referred to Magistrate Judge Carolyn Turchin to consider preliminary matters and conduct all further matters as appropriate. The Court must be notified within 15 days of any change of address. (jag,) (Entered: 11/02/2004)
11/10/2004	9	FINAL REPORT AND RECOMMENDATION by Magistrate Judge Carolyn Turchin filed. RE: Complaint(Prisoner Civil Rights), Complaint (Prisoner Civil Rights) 7 Objections to RRdue by 12/6/2004. (dam) (Entered: 11/15/2004)
11/15/2004	<u>10</u>	NOTICE OF FILING REPORT AND RECOMMENDATION by Magistrate Judge Carolyn Turchin.Objections to RRdue by 12/6/2004. (dam) (Entered: 11/15/2004)
12/06/2004	11	FIRST AMENDED COMPLAINT against DEFENDANT J Hackett, M P Monteiro, L Parker, Jeanne Woodford, Mike Yarborough amending Complaint (Prisoner Civil Rights), Complaint (Prisoner Civil Rights) 7 , filed by plaintiff George I Johnson.(dam) (Entered: 12/06/2004)
12/07/2004	<u>12</u>	ORDER TO SHOW CAUSE RE DISMISSAL FOR FAILURE TO PAY INITIAL PARTIAL FILING FEE by Magistrate Judge Carolyn Turchin: Plaintiff has not complied with 28 USC Section 1915(b)(1) and is hereby ordered to show cause why this action should not be dismissed without prejudice for plaintiff's failure to pay the initial filing fee. Plaintiff may file a response to this Order to Show Cause no later than 20 days from the date of this order. (See document for further information)(dw,) (Entered: 12/07/2004)
12/16/2004	<u>13</u>	SECOND MEMORANDUM AND ORDER RECOMMENDING PLAINTIFF'S OPTIONS IN THIS ACTION On October 27, 2004, plaintiff, a state prisoner proceeding pro se, filed a civil rights action pursuant to 42 U.S.C. ? 1983 after being granted leave to proceed without prepaying the filing fee. On November 10, 2004, the court issued a ?Memorandum and Order Recommending Plaintiff?s Options in This Action.? Therein the court set forth pleading guidelines to aid plaintiff if he chose to file a first amended complaint. On December 6, 2004, plaintiff filed a first amended complaint. Pursuant to statutory requirements, the court has conducted a review of plaintiff?s amended complaint. See 28 U.S.C. ? 1915, 1915A; 42 U.S.C. ? 1997e. The amended complaint is confusingly written and omits necessary elements, such as identification of the defendants being sued and the relief being sought. See Fed. R. Civ. P. 8. It is established that a pro se litigant must be given notice of the deficiencies of the complaint and an opportunity to amend the complaint to state a claim, unless it is absolutely clear the deficiencies of the complaint cannot be cured by amendment. Karim-Panahi v. Los Angeles Police Dept., 839 F.2d 621, 623 (9th Cir. 1988); Noll v. Carlson, 809 F.2d 1446, 1448 (9th Cir. 1987). Plaintiff is advised that he may elect one of three options: (1) File a second amended complaint on or before January 7, 2005, which cures the deficiencies identified herein and in the Memorandum and Order issued November 10, 2004. A copy of the previous Memorandum and Order is attached hereto for plaintiff?s reference. Also attached for plaintiff?s use is a blank copy of the civil rights complaint form used in the United States District Court for the Central District of California. Plaintiff is advised that if he uses the complaint form he may attach additional pages to it in order to fully state his claims. The second amended complaint should set forth all of the facts which support plaintiff?s claims and should not refer to the original complaint or the first amended complaint. The second amended complaint should be captioned ?SECOND AMENDED COMPLAINT,? and should bear this case number. The second amended complaint should clearly identify the specific acts on which each legal claim is based. It should include the date, time, place, and circumstances of the offending conduct, the full details of what each defendant did or failed to do, and the damage or injury

		suffered by plaintiff as a result. The second amended complaint should clearly identify the defendants sued and the relief sought. All of this information should appear in the complaint itself, not merely in attached exhibits. OR (2) File a document on or before January 7, 2005, captioned "Response to the Magistrate Judge's Second Memorandum and Order" bearing this case number, advising the court that plaintiff will not file a second amended complaint. OR (3) File no document. Plaintiff is cautioned that failure to timely file a second amended complaint or a response will be construed by the magistrate judge as his consent to dismissal of this action. Plaintiff is advised that if he elects option number two or three, the magistrate judge may recommend dismissal of this action by Judge Carolyn Turchin, re Amended Complaint 11 . (dam) (Entered: 12/17/2004)
12/20/2004	14	RESPONSE to order to show cause re dismissal for failure to pay initial partial filing fee to REQUEST to Proceed In Forma Pauperis, Declaration in Support 3 , REQUEST to Proceed without Prepayment of Filing Fees, Declaration in Support 5 , REQUEST to Proceed without Prepayment of Filing Fees, declaration in Support 1 filed by plaintiff George I. Johnson. (dam) (Entered: 12/20/2004)
12/27/2004	<u>15</u>	MINUTES OF IN CHAMBERS ORDER by Judge Carolyn Turchin: On December 7, 2004, the court issued an "Order to Show Cause re Dismissal for Failure to Pay Initial Partial Filing Fee." On December 20, 2004, plaintiff filed a "Response" and certified prison trust account statement. These documents establish that plaintiff has not had access to funds, and thus has been unable to comply with the court's prior order to pay an initial partial filing fee. Accordingly, the court hereby WITHDRAWS the Order to Show Cause. Plaintiff is reminded, however, that he remains responsible for paying the \$150.00 filing fee. See 28 U.S.C. ? 1915. Tape #: na. (dam) (Entered: 12/28/2004)
01/14/2005	16	NOTICE OF MOTION AND MOTION for Extension of Time to Amend second complaint Lodged Complaint, Complaint (Prisoner Civil Rights), Complaint (Prisoner Civil Rights) 7 filed by plaintiff George I Johnson. (dam) (Entered: 01/19/2005)
01/19/2005	<u>17</u>	MINUTES OF IN CHAMBERS ORDER by Judge Carolyn Turchin: RE: Order <u>13</u> The magistrate judge is in receipt of plaintiff's request for an extension of time to file a second amended complaint. The application is GRANTED. Plaintiff's second amended complaint is due on or before 2/8/05. Tape #: na. (dam) (Entered: 01/19/2005)
02/14/2005	18	NOTICE OF MOTION AND MOTION for Extension of Time to Amended Complaint 11 , In Chambers Order/Directive – no proceeding held,, Link Non-Motion Documents to Minutes, <u>17</u> filed by plaintiff George I. Johnson. (dam) (Entered: 02/15/2005)
02/14/2005	19	NOTICE OF MOTION AND MOTION for Extension of Time to Amended Complaint 11 filed by plaintiff George I. Johnson. (dam) (Entered: 02/15/2005)
02/15/2005	<u>20</u>	MINUTES OF IN CHAMBERS ORDER by Judge Carolyn Turchin The court is in receipt of plaintiff's second request for an extension of time in which to file a second amended complaint. Plaintiff's request is GRANTED. The second amended complaint is due on or before March 10, 2005. All other aspects of the memorandum and order recommending plaintiff's options in this action issued December 16, 2004, remain in effect RE: MOTION for Extension of Time to Amend Amended Complaint 11 19 . Tape #: na. (dam) (Entered: 02/15/2005)
02/28/2005	21	NOTICE OF MOTION AND MOTION for TEMPORARY INJUNCTION, AND RESTRAINING ORDER WHILE CASE PENDING Ruling filed by PLAINTIFF George I Johnson. (dam) (Entered: 03/02/2005)
03/04/2005	<u>22</u>	ORDER by Judge George H. King: denying 21 Motion for Ruling on MOTION for Ruling 21 . (dam) (Entered: 03/07/2005)
03/15/2005	23	SECOND AMENDED COMPLAINT against DEFENDANT Jeanne Woodford, M P Monteiro, J Hackett, L Parker, Mike Yarborough amending Amended Complaint 11 filed by PLAINTIFF George I Johnson. (dam) (Entered: 03/15/2005)

03/17/2005	24	ORDER by Judge Carolyn Turchin directing service of process by the United States Marshal, re Amended Complaint 23 . (dam) (Entered: 03/17/2005)
03/17/2005	<u>25</u>	ORDER by Judge Carolyn Turchin order re service, re Amended Complaint 23 , Order 24 . (dam) (Entered: 03/17/2005)
05/16/2005	34	Letter from petitioner re USM-285 Service of S/C - Unexecuted 32 , Waiver of Service Executed 33 . (dam) (Entered: 05/25/2005)
05/18/2005	26	PROCESS RECEIPT AND RETURN (USM-285) of summons unexecuted re Complaint (Prisoner Civil Rights) 7 for M P Monteiro. (jp,) (Entered: 05/23/2005)
05/18/2005	27	WAIVER OF SERVICE OF SUMMONS Returned Executed filed by plaintiff George I Johnson. upon Michell Monteiro waiver sent by Plaintiff on 5/9/2005, answer due 7/8/2005. Waiver of Service signed by John F Bazan, Attorney for Defendant. (jp,) (Entered: 05/23/2005)
05/18/2005	28	PROCESS RECEIPT AND RETURN (USM-285) of summons unexecuted re Complaint (Prisoner Civil Rights) 7 for Lavelle Parker. (jp,) (Entered: 05/23/2005)
05/18/2005	29	WAIVER OF SERVICE OF SUMMONS Returned Executed filed by plaintiff George I Johnson. upon Lavelle Parker waiver sent by Plaintiff on 5/9/2005, answer due 7/8/2005. Waiver of Service signed by John F Bazan, Attorney for Defendant. (jp,) (Entered: 05/23/2005)
05/18/2005	30	PROCESS RECEIPT AND RETURN (USM-285) of summons unexecuted re Complaint (Prisoner Civil Rights) 7 for Jeanne Woodford, (C.D.C) Director of California Department of Corrections. (jp,) (Entered: 05/23/2005)
05/18/2005	31	WAIVER OF SERVICE OF SUMMONS Returned Executed filed by plaintiff George I Johnson. upon Jeanne Woodford, (C.D.C) Director of California Department of Corrections waiver sent by Plaintiff on 5/9/2005, answer due 7/8/2005. Waiver of Service signed by John F. Bazan, Attorney for Defendant. (jp,) (Entered: 05/23/2005)
05/18/2005	32	PROCESS RECEIPT AND RETURN (USM-285) unexecuted of summons and Complaint 7 for Michael Yarborough, California State Prison-LAC. (jp,) (Entered: 05/23/2005)
05/18/2005	33	WAIVER OF SERVICE OF SUMMONS Returned Executed filed by plaintiff George I Johnson. upon Michael Yarborough waiver sent by Plaintiff on 5/9/2005, answer due 7/8/2005. Waiver of Service signed by John F. Bazan, Attorney for Defendant. (jp,) (Entered: 05/23/2005)
05/23/2005	<u>35</u>	MINUTES OF IN CHAMBERS ORDER by Judge Carolyn Turchin On May 16, 2005, the Court received from plaintiff an inquiry regarding service upon defendants. Plaintiff is advised that waivers of personal service were returned executed on May 18, 2005. The answer is due July 8, 2005. (See Fed. R. Civ. P. 4).Plaintiff is reminded that he must serve upon defendants? attorney a copy of every future pleading or other document submitted for consideration by the Court. (See Fed. R. Civ. P. 5). Plaintiff shall include with the original paper to be filed with the Clerk of the Court a certificate stating the date that a true and correct copy of the paper was mailed to defendants? attorney. Any paper received by a District Judge or Magistrate Judge which has not been filed with the Clerk of the Court or which fails to include a certificate of service will be disregarded by the Court., RE: Letter 34 Tape #: na. (dam) (Entered: 05/25/2005)
05/31/2005	36	PROCESS RECEIPT AND RETURN (USM-285) of summons unexecuted re Complaint (Prisoner Civil Rights) 7 for J Hackett. (jp,) (Entered: 06/06/2005)
05/31/2005	37	NOTICE AND ACKNOWLEDGEMENT OF SERVICE of Summons an Complaint by Mail returned Executed filed by plaintiff George I Johnson. upon James Hackett acknowledgment sent by Plaintiff on 4/26/2005, answer due 6/25/2005. Acknowledgment of Service signed by above defendant. (jp,) (Entered: 06/06/2005)
06/14/2005	38	ANSWER to the Second Amended Complaint 23 filed by defendants Jeanne Woodford, M P Monteiro, L Parker, Mike Yarborough.(jp,) (Entered: 06/15/2005)

06/16/2005	<u>39</u>	SCHEDULING ORDER by Judge Carolyn Turchin, Set Deadlines: Set deadlines: Discovery cut-off 9/19/2005. summary judgment cut-off date: 10/20/05; oppositions to summary judgment motions due by 11/10/2005. replies to oppositions to summary judgment motions due 11/18/05. (dam) (Entered: 06/16/2005)
08/15/2005	40	MOTION for Discovery filed by plaintiff George I Johnson. (sbu,) (Entered: 08/17/2005)
08/17/2005	<u>41</u>	MINUTES OF IN CHAMBERS ORDER by Judge Carolyn Turchin : Court is in receipt of plaintiff Motion for Discovery. Plaintiff is reminded that all litigians, including those appearing pro se, must comply with FRCP and the Local Rules for the Central district of CA and court orders. Plaintiff fails to comply with Local Rule 37. Plaintiff's motin is Denied. Tape #: none present. (sbu,) (Entered: 08/17/2005)
09/27/2005	42	MOTION for Discovery filed by plaintiff George I Johnson. (dam) (Entered: 09/27/2005)
09/30/2005	<u>43</u>	MINUTES OF IN CHAMBERS ORDER by Judge Carolyn Turchin RE: MOTION for Discovery 42 . Plaintiff's motion is DENIED without prejudice at this time. See document for further details. (yb,) (Entered: 09/30/2005)
09/30/2005	44	PROOF OF SERVICE filed by plaintiff George I Johnson, re Amended Complaint 23 , was served on 9/20/05.(dam) (Entered: 10/21/2005)
11/07/2005	45	MOTION for Temporary injunction and Restraining Order for Ruling filed by plaintiff George I Johnson. (dam) (Entered: 11/08/2005)
11/08/2005	<u>46</u>	MINUTES OF IN CHAMBERS ORDER by Judge Carolyn Turchin On November 15, 2004, the magistrate judge issued a memorandum and order recommending plaintiff's options in this action. Attached to this memorandum and order was a notice of filing of magistrate judge's report and recommendation. The notice was filed in error. No report and recommendation has been issued in this case. RE: MOTION for Temporary Restraining Order MOTION for Ruling 45 . Tape #: na.(dam) (Entered: 11/08/2005)
11/21/2005	49	MOTION for Summary Judgment for claimant filed by plaintiff George I Johnson.(dam) (Entered: 11/22/2005)
11/22/2005	<u>48</u>	MINUTES OF IN CHAMBERS ORDER by Judge Carolyn Turchin by order issued 9/30/05, the court addressed a discovery dispute between the parties. Defendants were directed to file a joint stipulation or status report by 11/7/05. Defendants have not done so. The court hereby GRANTS defendants an extension of time throught and including 12/7/05, in which to comply with this court's prior order. RE: In Chambers Order/Directive – no proceeding held, Link Motions to Minutes <u>43</u> , RE: MOTION for Discovery 42 . Tape #: na. (dam) (Entered: 11/22/2005)
11/28/2005	<u>51</u>	ORDER by Judge Carolyn Turchin: striking 49 Motion for Summary Judgment. THE FOLLOWING DISCREPANCIES EXIST: Motion for summary judgment for claimant is premature; Statement of genuine issues of material fact lacking; Statement of uncontroverted facts and/or proposed judgment lacking. IT IS FURTHER ORDERED that the documents shall not be returned to the filing party; however, the clerk shall note on the case docket that the documents are stricken from the record.(dam) (Entered: 11/29/2005)
11/29/2005	<u>50</u>	SUPPLEMENTAL ORDER REGARDING SUMMARY JUDGMENT MOTIONS 1. REVISED SUMMARY JUDGMENT CUT-OFF DATE: 2/6/06; 2. OPPOSITIONS TO SUMMARY JUDGMENT MOTIONS DUE: 2/26/06; REPLIES TO OPPOSITIONS TO SUMMARY JUDGMENT MOTIONS DUE: 3/7/06[SEE ORDER] by Judge Carolyn Turchin, re Scheduling Order,, Set Deadlines, Set Deadlines/Hearings <u>39</u> , Resetting Deadline as to Scheduling Order, Set Deadlines, Set Deadlines/Hearings <u>39</u> . (dam) (Entered: 11/29/2005)
12/07/2005	52	Defendants' STATUS REPORT filed by Defendants Jeanne Woodford, M P Monteiro, L Parker, Mike Yarborough. (shb,) (Entered: 12/15/2005)

12/22/2005	<u>53</u>	MINUTES OF IN CHAMBERS ORDER by Judge Carolyn Turchin [SEE MINUTE ORDER] the court is in receipt of the status report filed by defendants on 12/7/05. Therein defendants state that although plaintiff has informally requested discovery materials from them, he has never propounded interrogatories. While the court agrees that plaintiff has not formally propounded interrogatories, the court observes that he is pro se and liberally construes his requests as propounding interrogatories. However, since defendants have agreed to "obtain from CDCR for plaintiff his medical and central file records and provide them to him... by 1/7/06," it is not necessary to submit a joint stipulation with respect to this discovery dispute. Defendants are ORDERED to comply with their representation. the court concludes that plaintiff is not entitled to the other discovery he requests for the reasons stated by defendants in their status report. RE: Status Report 52 . Tape #: NA. (dam) (Entered: 12/22/2005)
02/24/2006	<u>54</u>	MINUTES by Judge George H. King; On 11/29/05 Judge Turchin issued an order rejecting plaintiffs purported motion for summary judgment for failure to comply with the LR. Said order also extended the time in which the parties may file summary judgment motions. That deadline has now passed and neither side has filed any dispositive motions. Within 14 days hereof, plaintiff and counsel for defendants shall state in writing affirmatively whether he/they intend to file a motion for summary judgment. If so, he/they shall state why such motion has not been filed within Judge Turchin's deadline and when such motion in full compliance with the LR will be filed. Within 14 days hereof, defendants counsel shall set up a telephone conference with plaintiff during which they shall in good faith discuss the possibility of settlement of this action without the need for further litigation. Within 48 hours of conclusion of such discussion, parties shall file a joint status report with the Court setting forth the status of the case the likelihood of settlement and the length of time the parties expended on settlement discussions. (see document for further details) Court Reporter: n/a. (jag,) (Entered: 02/27/2006)
03/09/2006	55	RESPONSE filed by Defendants Jeanne Woodford, M P Monteiro, J Hackett, L Parker, Mike Yarborough to 2/24/06 Court order <u>54</u> (jag,) (Entered: 03/14/2006)
03/15/2006	<u>56</u>	MINUTES by Judge George H. King; Court has reviewed defendants Response to Courts order 55 filed 3/9/06. Counsel are hereby ordered to file a joint status report within 30 days hereof. Court Reporter: n/a. (jag,) (Entered: 03/17/2006)
03/24/2006	57	MOTION for Summary Judgment for Claimant filed by plaintiff George I Johnson. (lw,) (Entered: 03/30/2006)
03/24/2006	58	Letter from Plaintiff George I. Johnson re MOTION for Summary Judgment 57 (lw,) (Entered: 03/30/2006)
03/31/2006	<u>59</u>	MINUTES OF IN CHAMBERS ORDER held before Magistrate Judge Carolyn Turchin : It is ORDERED that no later than 4/17/2006, defendants shall file either (1) an opposition to the motion for summary judgment, or (2) a proposed stipulated order for dismissal of the case due to settlement. It is further ORDERED that plaintiff shall have through and including 4/25/2006 in which to file a reply if defendants file an opposition to the motion for summary judgment. The motion shall stand submitted without oral argument unless the court orders otherwise. RE: MOTION for Summary Judgment 57 (lw,) (Entered: 04/03/2006)
04/27/2006	60	EX PARTE APPLICATION FOR ENLARGEMENT OF TIME to File filed by defendant Jeanne Woodford, M P Monteiro, J Hackett, L Parker, Mike Yarborough. Lodged [proposed] order. (dam) (Entered: 04/27/2006)
04/27/2006	61	ORDER by Judge Carolyn Turchin, re EX PARTE APPLICATION FOR ENLARGEMENT OF TIME to File 60 . IT IS SO ORDERED. cOUNSEL IS CAUTIONED THAT ALL FUTHER REQUESTS FOR EXTENSIONS OF TIME MUST BE SOUGHT PRIOR TO THE DUE DATE OF THE DOCUMENT. ORDER EXTENDING DUE DATE OF PLAINTIFF'S REPLY TO 5/8/06. (dam) (Entered: 05/02/2006)
04/27/2006	64	OPPOSITION to MOTION for Summary Judgment 57 filed by defendants Jeanne Woodford, M P Monteiro, L Parker, Mike Yarborough. (jag,) (Entered: 05/08/2006)

05/01/2006	62	Motion for Entry of Default against defendant Jeanne Woodford, M P Monteiro, J Hackett, L Parker, Mike Yarborough filed by plaintiff George I Johnson.(dam) (Entered: 05/02/2006)
05/08/2006	<u>63</u>	MINUTES OF IN CHAMBERS ORDER held before Judge Carolyn Turchin: on 5/1/06, plaintiff filed a document captioned "motion for default," which pertained to defendants' filing of an opposition. Plaintiff's motion is hereby DENIED. As set forth in the order issued 4/27/06, defendants were granted an enlargement of time and filed their opposition on that date. Plaintiff is hereby GRANTED an extension of time through and including 5/18/06, in which to file a reply to defendants' opposition. RE: Motion for Entry of Default against defendant Jeanne Woodford, M P Monteiro, J Hackett, L Parker, Mike Yarborough 62 . Tape #: na. (dam) (Entered: 05/08/2006)
05/22/2006	65	MOTION for Extension of Time to File Response/Reply as to Response in Opposition to Motion 64 , Response (non-motion) 55 filed by PLAINTIFF George I Johnson.(dam) (Entered: 05/26/2006)
05/25/2006	<u>66</u>	MINUTES OF IN CHAMBERS ORDER held before Judge Carolyn Turchin the court is in receipt of plaintiff's motion for an extension of time to file a reply. the motion is GRANTED. Plaintiff is hereby GRANTED an extension of time through and including 5/28/06, in which to file a reply to defendants' opposition. RE: MOTION for Extension of Time to File Response/Reply as to Response in opposition to Motion 64 , Response (non-motion) 55 65 . Tape #: NA.(dam) (Entered: 05/26/2006)
06/01/2006	67	REPLY to defendant's opposition to plaintiff's motion for summary judgment response to Motion for Entry of Default against defendant Jeanne Woodford, M P Monteiro, J Hackett, L Parker, Mike Yarborough 62 , MOTION for Summary Judgment 57 filed by plaintiff George I Johnson.(dam) (Entered: 06/01/2006)
06/01/2006	68	REPORT AND RECOMMENDATION issued by Magistrate Judge Carolyn Turchin. Re: Motion for Entry of Default against defendant Jeanne Woodford, M P Monteiro, J Hackett, L Parker, Mike Yarborough 62 , Complaint (Prisoner Civil Rights), Complaint (Prisoner Civil Rights) 7 Objections to RR due by 6/21/2006. (dam) (Entered: 06/01/2006)
06/01/2006	<u>69</u>	NOTICE OF FILING REPORT AND RECOMMENDATION by Magistrate Judge Carolyn Turchin. Objections to RR due by 6/21/2006(dam) (Entered: 06/01/2006)
06/21/2006	70	MOTION for Extension of time to file objections to the report and recommendation of magistrate judge filed by plaintiff George I Johnson.(dam) (Entered: 06/22/2006)
06/22/2006	<u>71</u>	MINUTES OF IN CHAMBERS ORDER held before Judge Carolyn Turchin the court is in receipt of plaintiff's request for an extension of time in which to file objections to the report and recommendation. Plaintiff's request is GRANTED. The objections are due on or before 7/11/06. objections may not raise new grounds. RE: MOTION for Enlargement of Time to File 70 . Tape #: na. (dam) (Entered: 06/23/2006)
07/10/2006	72	MOTION for Extension of time objection to Report and Recommendations and notice of address change to California State Prison Solano 2100 Peabody Road P.O. Box 4000 Vacaville, CA 95696 filed by plaintiff George I Johnson. (sbu,) Modified on 7/12/2006 (sbu,). (Entered: 07/12/2006)
07/11/2006	<u>73</u>	MINUTES OF IN CHAMBERS ORDER held before Judge Carolyn Turchin : This court is in receipt of plaintiff's request for an extension of time in which to file objection to the report and recommendation and notice of change of address. Plaintiff's request for extension is Granted. The objections are due on or before July 25, 2006. Objections may not raise new grounds. Court Reporter: none present. (sbu,) (Entered: 07/12/2006)
07/31/2006	74	DECLARATION of DECLARATION FOR ENTRY OF DEFAULT re Order on Motion for Enlargement of Time to File, Notice of Report and Recommendation <u>69</u> filed by Plaintiff George I Johnson.(dam) (Entered: 08/01/2006)

07/31/2006	<u>78</u>	OBJECTION to Report and Recommendation (Final), Report and Recommendation (Final) 68 , Report and Recommendation (Final) 9 AND APPOINTMENT OF COUNSEL filed by plaintiff George I Johnson.(dam) (Entered: 08/16/2006)
08/08/2006	<u>75</u>	ORDER DENYING REQUEST FOR ENTRY OF DEFAULT by Magistrate Judge Carolyn Turchin [PLEASE REVIEW ORDER FOR COMPLETE DETAILS], re Declaration 74 (lw,) (Entered: 08/08/2006)
08/08/2006	<u>76</u>	ORDER DENYING PLAINTIFF'S REQUEST FOR APPOINTMENT OF COUNSEL by Magistrate Judge Carolyn Turchin, [PLEASE REVIEW ORDER FOR COMPLETE DETAILS], re Declaration 74 (lw,) (Entered: 08/08/2006)
08/08/2006	<u>77</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS of US Magistrate Judge by Judge George H. King: IT IS ORDERED: The report and recommendation is accepted. Plaintiffs MOTION for Summary Judgment is denied. (pcl,) (Entered: 08/09/2006)
09/05/2006	<u>79</u>	NOTICE OF APPEAL to 9th CCA filed by Plaintiff George I Johnson. Appeal of Order <u>75</u> , Filed On: 8/08/06; Entered On: 8/08/06; RRAdopting Report and Recommendations <u>77</u> , Filed On: 8/08/06; Entered On: 8/09/06; Order <u>76</u> Filed On: 8/08/06; Entered On: 8/09/06; Forms Given: Transcripts Designation Ordering Form; Filing fee \$ 455; Billed. cc: George I. Johnson; John Bazan, Deputy State Attorney.(lr,) (Entered: 09/11/2006)
09/11/2006		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals; re: Appeal to Circuit Court, <u>79</u> (lr,) (Entered: 09/11/2006)
09/11/2006	<u>80</u>	CERTIFICATE OF RECORD Transmitted to USCA; Transcripts: None Requested; re Appeal to Circuit Court, <u>79</u> filed by George I Johnson. (lr,) (Entered: 09/11/2006)
09/15/2006	<u>81</u>	NOTICE OF REFERRAL OF MATTER to the Magistrate Judge. Pursuant to the Judges directive, the Certificate of Appealability, received on 9/5/2006, is hereby referred to Magistrate Judge Carolyn Turchin. (pcl,) (Entered: 09/18/2006)
09/18/2006	<u>83</u>	ORDER Vacating Referral of Matter to the Magistrate Judge by Judge George H. King: On 9/15/06 Notice of Referral of Matter to Magistrate Judge <u>81</u> . Court hereby VACATES the referral. Court notes that on 9/5/06 plaintiff filed a document captioned Notice of Appeal or Motion for Trial. It appears from the face of this document that plaintiff is under the misapprehension that his lawsuit has been dismissed In fact, the case remains pending. (ir,) (Entered: 09/21/2006)
09/19/2006	<u>82</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 06-56264, 9th CCA regarding Appeal to Circuit Court, <u>79</u> filed by George I Johnson. (car,) (Entered: 09/19/2006)
10/06/2006	<u>84</u>	MINUTES (IN CHAMBERS) by Judge George H. King: Counsel for Defendants is ORDERED to contact Plaintiff WITHIN 14 DAYS hereof in order to decide on one of the settlement procedures described in LR 16-14.4. WITHIN 30 DAYS hereof, Counsel and Plaintiff SHALL filed a Joint Status Report setting forth the name of the person selected to conduct the settlement conference, and the date set for such conference, which shall take place no later than 12/6/2006. (See document for further details.)Court Reporter: N/A. (pcl,) (Entered: 10/10/2006)
10/20/2006	<u>86</u>	ORDER from 9th CCA filed as to Appeal to Circuit Court, <u>79</u> filed by George I Johnson, CCA # 06-56264. The appeal is dismissed. Order received in this district on 11/16/06. A review of the record demonstrates that this court lacks jurisdiction over this appeal because the order challenged in the appeal is not final or appealable. Consequently, this appeal is dismissed for lack of jurisdiction. (lr,) Modified on 11/27/2006 (lr,). (Entered: 11/27/2006)
11/14/2006	<u>85</u>	MANDATE of 9th CCA filed as to Appeal to Circuit Court, <u>79</u> , CCA # 06-56264. The appeal is Dismissed. Mandate received in this district on 11/16/06. On consideration whereof, it is now here ordered and adjudged by this Court, that the appeal in this cause be, and hereby is Dismissed for lack of jurisdiction. (lr,) (Entered: 11/22/2006)

12/12/2006	89	Motion for Default of Court Orders; Motion of Termination of Settlement Discussions filed by plaintiff George I Johnson. (jag,) (Entered: 01/12/2007)
12/19/2006	<u>87</u>	MINUTES (IN CHAMBERS) by Judge George H. King: Defendants and their counsel are hereby ORDERED TO SHOW CAUSE, in writing, within 12 days hereof, why they should not be sanctioned for failing to follow the Courts orders. Such sanctions may include, but are not limited to: (1) striking Defendants answer and entry of default on Plaintiffs claims; (2) monetary sanctions. (See document for further details.) Court Reporter: N/A. (pcl,) (Entered: 12/19/2006)
01/03/2007	88	RESPONSE to Courts October 6, 2006 Order to Show Cause and STATUS REPORT filed by Defendants Jeanne Woodford, M P Monteiro, L Parker, Mike Yarborough. (pcl,) (Entered: 01/10/2007)
01/09/2007	92	Mail Returned addressed to George I Johnson re 89 Motion for Entry of Default. (jp) (Entered: 01/25/2007)
01/11/2007	<u>90</u>	MINUTES (IN CHAMBERS) by Judge George H. King: Order Discharging OSC; Setting Briefing Schedule. The Order to Show Cause is DISCHARGED. Plaintiffs Motion for default is DENIED. Leave to file a motion for summary judgment is GRANTED. Defendants shall file their motion for summary judgment, with this court, by 2/9/2007. Plaintiff shall file his opposition by 3/16/2007. Defendants shall file their reply by 3/30/2007. (See document for further details.) Court Reporter: N/A. (pcl,) (Entered: 01/12/2007)
01/17/2007	<u>91</u>	ORDER VACATING REFERENCE TO MAGISTRATE JUDGE by Judge George H. King. Reference of case to Magistrate Judge Carolyn Turchin is vacated. Case transferred to the calendar of Magistrate Judge Carolyn Turchin for discovery. Case number now reads as CV 04-5995 GHK (CTx).(m,) (Entered: 01/17/2007)
02/07/2007	93	EX PARTE APPLICATION TO ENLARGE Response TIME to File a Summary Judgment Motion Under FRCP, Rule 6(b); Declaration of John F Bazan in support thereof filed by Defendants Jeanne Woodford, M P Monteiro, L Parker, Mike Yarborough. Lodged proposed order. (pcl,) (Entered: 02/12/2007)
02/09/2007	<u>94</u>	ORDER Re Ex Parte Application to Enlarge Response Time to File a Summary Judgment Motion Under DRCP, Rule 6(b) by Judge George H. King: Good Cause appearing therefor, it is hereby ordered that the motion cut-off date be moved to 2/15/2007.(pcl,) (Entered: 02/12/2007)
02/15/2007	99	DEFENDANTS' MOTION for Summary Judgment; Memorandum of points and authorities; Exhibits in support thereof filed by Defendants Jeanne Woodford, M P Monteiro, L Parker, Mike Yarborough. Motion set for hearing on 3/26/2007 at 03:30 PM before Judge George H. King. (shb,) (Entered: 03/05/2007)
02/21/2007	95	MOTION for Review of judicial review of order discharging OSC, and motion for default, Federal Rule 12(e)(f)re <u>87</u> In Chambers Order/Directive – no proceeding held, Set Deadlines, filed by plaintiff George I Johnson.(dam) (Entered: 02/23/2007)
02/21/2007	96	MOTION for Review of the filed motions of evidentiary hearing, and judicial notice, the Magistrate Judge Carolyn Turchin refused to address. re 95 MOTION for Review of judicial review of order discharging OSC, and motion for default, Federal Rule 12(e)(f) re <u>87</u> In Chambers Order/Directive – no proceeding held,, Set Deadlines, filed by plaintiff George I Johnson.(dam) (Entered: 02/23/2007)
02/26/2007	97	NOTICE of Entry of Appearance filed by attorneys Daniel Stephen Miller, Brian Procel, Mark A Barondess on behalf of Plaintiff George I Johnson (pcl,) (Entered: 02/28/2007)
02/26/2007		FAX number for Attorneys Mark A Barondess, Daniel Stephen Miller, Brian Procel is 310-552-8400. (pcl,) (Entered: 02/28/2007)
03/02/2007	98	MOTION to Supplement to motion for judicial review of order discharging OSC, and motion for default, Feleral Rule 12(e)(f)re MOTION for Review of the filed motions of evidentiary hearing, and judicial notice, the Magistrate Judge Carolyn Turchin refused to address. re 95 MOTION for Review of judicial review of order

		discharging OSC, and motion for default, Federal Rule 12 96 filed by plaintiff George I Johnson.(dam) (Entered: 03/05/2007)
03/06/2007	<u>100</u>	MINUTES (IN CHAMBERS) by Judge George H. King: Order RE: MOTION for Reconsideration, Sanctions. On 2/13/2007, Plaintiff has filed a "Motion for Judicial Review of Order Discharging OSC and Motion for Default." As plaintiff was pro se at the time of the filing, we construe his filings liberally. As such, we deem his motion a motion for reconsideration. The motion is DENIED. (See document for further details.) Court Reporter: N/A. (pcl,) (Entered: 03/06/2007)
03/08/2007	<u>101</u>	JOINT STIPULATION To Continue Hearing Date on Defendants Motion for Summary Judgment AND ORDER by Judge George H. King: IT IS HEREBY ORDERED that the current 3/26/2007 hearing date on Plaintiffs Motion for Summary Judgment be continued to 6/4/2007 at 9:30 AM. (pcl,) (Entered: 03/09/2007)
05/18/2007	<u>102</u>	STIPULATION AND ORDER by Judge George H. King: IT IS HEREBY ORDERED that the current 6/5/2007 hearing date on Plaintiffs Motion for Summary Judgment 99 be continued to 7/25/2007 at 9:30 a.m.(pcl,) (Entered: 05/21/2007)
07/02/2007	<u>103</u>	JOINT STIPULATION AND ORDER by Judge George H. King:IT IS HEREBY ORDERED that the current 7/25/2007 hearing dte on Plaintiffs Motion for Summary Judgment 99 be continued to 8/27/2007 at 09:30 AM. (pcl) (Entered: 07/03/2007)
08/13/2007	<u>104</u>	JOINT STIPULATION To Continue Hearing Date on Defendant's Motion for Summary Judgment AND ORDER by Judge George H. King: IT IS HEREBY ORDERED that the hearing date on Motion for Summary Judgment be continued to 9/10/2007 at 9:30 AM.(pcl) (Entered: 08/14/2007)
08/27/2007	105	MEMORANDUM in Opposition to MOTION for Summary Judgment 99 filed by Plaintiff George I Johnson. (da) (Entered: 08/31/2007)
08/27/2007	106	DECLARATION of Brian Procel in support of opposition to Defendants' motion for Summary Judgment 99 filed by Plaintiff George I Johnson. (da) (Entered: 08/31/2007)
08/27/2007	107	RESPONSE to separate statement of uncontroverted facts related to MOTION for Summary Judgment 99 filed by Plaintiff George I Johnson. (da) (Entered: 08/31/2007)
09/04/2007	108	DECLARATION of Michelle Des Jardins in SUPPORT of Reply to MOTION for Summary Judgment 99 filed by Defendants Jeanne Woodford, M P Monteiro, J Hackett, L Parker, Mike Yarborough. (lga) (Entered: 09/06/2007)
09/04/2007	109	REPLY TO OPPOSITION TO MOTION for Summary Judgment 99 filed by Defendants Jeanne Woodford, M P Monteiro, J Hackett, L Parker, Mike Yarborough. (lga) (Entered: 09/06/2007)
09/04/2007	110	REPLY TO RESPONSE TO MOTION for Summary Judgment 99 filed by Defendants Jeanne Woodford, M P Monteiro, J Hackett, L Parker, Mike Yarborough. (lga) (Entered: 09/06/2007)
09/06/2007	<u>111</u>	NOTICE OF DISMISSAL OF JEANNE WOODFORD AND ORDER by Judge George H. King.(yc) (Entered: 09/10/2007)
09/07/2007	<u>112</u>	MINUTES OF IN CHAMBERS ORDER held before Judge George H. King : re: MOTION for Summary Judgment 99 , MOTION to Supplement to motion for judicial review of order discharging OSC, 98 .Hearing is taken off calendar and will be taken under submission without oral argument on that date. No appearances by counsel shall be necessary. The hearing date is VACATED. Further briefing, if any shall be filed in accordance with Local rules as if the noticed hearing date had not been vacated. (yc) (Entered: 09/11/2007)
09/14/2007	113	NOTICE of Reassignment of Counsel for Defendants filed by Defendants Jeanne Woodford, M P Monteiro, L Parker, Mike Yarborough, changing lead counsel from John Francis Bazan to Michelle A Des Jardins for Michael Yarborough,

		Lavelle Parker, Mitchell P Monteiro and Jeanne S. Woodford. (ir) (Entered: 09/19/2007)
09/28/2007	114	MINUTES OF IN CHAMBERS ORDER held before Judge George H. King : As defendants are entitled to qualified immunity from plaintiff's claims, we GRANT each defendant's motion for summary judgment.(bp) (Entered: 10/01/2007)
09/28/2007	<u>115</u>	IT IS HEREBY ADJUDGED that plaintiff's George I. Johnson's, claims are DISMISSED WITH PREJUDICE by Judge George H. King,, (Made JS-6. Case Terminated.)(bp) (Entered: 10/01/2007)
10/22/2007	<u>116</u>	NOTICE OF APPEAL to 9th CCA filed by Plaintiff George I Johnson. Appeal of Order, Terminated Case <u>115</u> Filed On: 9/28/07; Entered On: 10/1/07; Filing fee \$ 455. Billed. cc: George Johnson, Brian Procel; John Bazan, District Attorney(car) Modified on 10/25/2007 (car,). (Entered: 10/25/2007)
10/25/2007	<u>117</u>	CERTIFICATE OF RECORD Transmitted to USCA re Appeal to 9th Circuit Court of Appeals <u>116</u> filed by George I Johnson ; (car) (Entered: 10/25/2007)
10/25/2007		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re: Appeal to 9th Circuit Court of Appeals <u>116</u> (car) (Entered: 10/25/2007)
04/18/2008	118	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>116</u> filed by George I Johnson, CCA # 07-56610. Appellant's motion to proceed in forma pauperis is granted. Pursuant to 28:1915(b)(1) and (2), however, appellant eventually must pay the full amount of the filing and docketing fees for this appeal. Accordingly, within 21 days after the date of this order, appellant shall complete and file with this court the enclosed quthorization form. Order received in this district on 4/18/2008. (dmap) (Entered: 04/25/2008)
05/14/2008	<u>119</u>	ORDER from 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>116</u> filed by George I Johnson, CCA # 07-56610. Appellant George I. Johnson, prison identification number T-63773, has been granted leave to proceed in forma pauperis in this appeal and has completed and filed the required authorization form. This court hereby assesses an initial filing fee of 20 percent of the greater of (A) the average monthly deposits to the prisoner's account; or (B) the average monthly balance in the prisoner's account for the six-month period immediately preceeding the filing of the 10/22/07 notice of appeal. Appellant is not responsible for payment when the funds in appellant's prison trust account total less than \$10, but payments must resume when additional deposits are made or funds are otherwise available. The Clerk shall serve this order and appellant's completed authorization form on the Attorney General for the State of California, P.O. Box 944255, Sacramento, California, 94244-2550, who shall notify the appropriate agency or prison authority responsible for calculating, collecting, and forwarding the remaining monthly payments of the fee to the district court for this appeal. Each payment should be accompanied by the district court and appellate docket numbers for this appeal and a record of previous payments made for this appeal. The Clerk shall also serve a copy of this order on the clerk and the financial unit of the district court. Order received in this district on 5/14/08. (car) (Entered: 05/23/2008)
09/11/2008	<u>120</u>	RECORD ON APPEAL sent to Circuit Court re: Appeal number, 07-56610. Record consists of 2 volumes re Notice of Appeal to 9th Circuit Court of Appeals, <u>116</u> . (dmap) (Entered: 09/12/2008)
06/10/2009	<u>121</u>	APPEAL RECORD RETURNED from 9th CCA Received: Volume(s): 1 thru 2; RE: Appeal Record Sent to USCA (A-26) <u>120</u> (cbr) (Entered: 06/12/2009)
06/18/2009	<u>122</u>	MANDATE of 9th CCA filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>116</u> , CCA # 07-56610. The decision of the District Court is Affirmed in part, Vacated in part and Remanded. Mandate received in this district on 06/18/2009. (lra) (Entered: 06/22/2009)
07/09/2009	<u>123</u>	MINUTES (IN CHAMBERS) by Judge George H. King: Proceedings: Order Re: Filing of Summary Judgment. On June 18, 2009, the Ninth Circuit Court of Appeals issued its mandate affirming, in part, and vacating, in part, and remanding this matter to this court. The sole issue on which the summary judgment was vacated and remanded was whether the alleged deprivation of outdoor exercise

		violated plaintiff's Eighth Amendment rights. Specifically, the mandate stated that we vacate summary judgment for defendants on the outdoor exercise claim and remand so that the district court may more fully consider whether Johnson's alleged deprivation of outdoor exercise violated the Eighth Amendment. In light of the foregoing, we now grant defendants an opportunity to file a motion for summary judgment directed specifically at the only remaining issue. (See document for further details). (Made JS-5, Case reopened) (mg) (Entered: 07/10/2009)
07/24/2009	<u>124</u>	REQUEST to Substitute attorney Susan E. Coleman in place of attorney Michelle Des Jardins filed by defendant Mike Yarborough. (Attachments: # <u>1</u> Proposed Order)(Coleman, Susan) (Entered: 07/24/2009)
07/24/2009	<u>125</u>	REQUEST to Substitute attorney Susan E. Coleman in place of attorney Michelle Des Jardins filed by defendant L Parker. (Attachments: # <u>1</u> Proposed Order)(Coleman, Susan) (Entered: 07/24/2009)
07/29/2009	<u>126</u>	REQUEST to Substitute attorney Susan E. Coleman in place of attorney Michelle A. Des Jardins filed by defendant M P Monteiro. (Attachments: # <u>1</u> Proposed Order)(Coleman, Susan) DOCUMENT IS STRICKEN, PURSUANT TO COURT ORDER DATED 7/30/09, DOCUMENT <u>131</u> . Modified on 7/31/2009 (bm). (Entered: 07/29/2009)
07/29/2009	<u>127</u>	APPLICATION to CORRECT REQUEST to Substitute attorney Susan E. Coleman in place of attorney Michelle A. Des Jardins <u>126</u> , APPLICATION to Substitute attorney Susan E. Coleman in place of attorney Michelle A. Des Jardins filed by defendant M P Monteiro. (Attachments: # <u>1</u> Proposed Order CORRECTED)(Coleman, Susan) (Entered: 07/29/2009)
07/29/2009	<u>128</u>	ORDER by Judge George H. King: GRANTING Request to Substitute Attorney Susan E Coleman for Mike Yarborough in place and instead of Attorney Michelle A Des Jardins <u>124</u> . (ir) (Entered: 07/30/2009)
07/29/2009	<u>129</u>	ORDER by Judge George H. King: GRANTING Request to Substitute Attorney Susan E Coleman in place and stead of Attorney Michelle A Des Jardins <u>125</u> . (ir) (Entered: 07/30/2009)
07/30/2009	<u>130</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: REQUEST to Substitute Attorney <u>126</u> : The proposed order attachment to this docket entry is an additional Request to Substitute Attorney. Proposed order was not submitted as a separate attachment to the Request. 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. (bm) (Entered: 07/30/2009)
07/30/2009	<u>131</u>	RESPONSE BY THE COURT TO NOTICE TO FILER OF DEFICIENCIES IN ELECTRONICALLY FILED DOCUMENTS <u>130</u> by Clerk of Court that the document is stricken and counsel is ordered to file an amended or corrected document. Other: Attorney has e-filed corrected document on 7/29/09 document #127. RE: Request for approval of substitution of attorney <u>126</u> . (bm) (Entered: 07/31/2009)
07/31/2009	<u>132</u>	ORDER by Judge George H. King granting <u>127</u> Application to Substitute Attorney. The Court hereby orders that the request of M.P. Monteiro, Defendant, to substitute Susan E. Coleman, who is Retained Counsel as attorney of record in place and stead of Michelle A. Des Jardins. (bm) (Entered: 08/03/2009)
08/06/2009	<u>133</u>	EXPARTE APPLICATION for Extension of Time to File MOTION FOR SUMMARY JUDGMENT filed by defendants M P Monteiro, L Parker, Mike Yarborough. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order)(Coleman, Susan) (Entered: 08/06/2009)
08/10/2009	<u>134</u>	ORDER by Judge George H. King: Granting Defendants M.P. MONTEIRO, L. PARKER and M. YARBOROUGH, a thirty (30) day extension of time in which to file a Motion for Summary Judgment to laintiff's complaint, up to and including September 9, 2009. <u>133</u> (es) (Entered: 08/11/2009)
09/07/2009	<u>135</u>	Joint STIPULATION for Extension of Time to File Motion for Summary Judgment filed by defendants M P Monteiro, L Parker, Mike Yarborough.

		(Attachments: # <u>1</u> Proposed Order, # <u>2</u> Proof of Service)(Coleman, Susan) (Entered: 09/07/2009)
09/09/2009	<u>136</u>	ORDER GRANTING STIPULATION FOR A TWO-WEEK EXTENSION FOR DEFENDANTS' TO FILE MOTION FOR SUMMARY JUDGMENT by Judge George H. King, re Stipulation <u>135</u> : The Court hereby grants the Parties' Joint Stipulation to extend the time in which defendants may file and serve their Motion for Summary Judgment from September 9, 2009, up to and including September 23, 2009. (bm) (Entered: 09/09/2009)
09/23/2009	<u>137</u>	NOTICE OF MOTION AND MOTION for Summary Judgment filed by defendants M P Monteiro, L Parker, Mike Yarborough. Motion set for hearing on 10/19/2009 at 09:30 AM before Judge George H. King. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Separate Statement of Undisputed Facts and Conclusions of Law, # <u>3</u> Declaration Carson, # <u>4</u> Declaration Curiel, # <u>5</u> Declaration Grannis, # <u>6</u> Declaration Lewis, # <u>7</u> Declaration Monteiro, # <u>8</u> Declaration Parker, # <u>9</u> Declaration Yarborough, # <u>10</u> Appendix Exhibits A-Y, # <u>11</u> Exhibit A-L, # <u>12</u> Exhibit M-Y, # <u>13</u> Proposed Order, # <u>14</u> Proof of Service)(Coleman, Susan) **STRICKEN PURSUANT TO MINUTE ORDER FILED 10/20/09**Modified on 10/21/2009 (ir). (Entered: 09/23/2009)
10/06/2009	<u>138</u>	MOTION OF STATUS AND CLARIFICATION filed by plaintiff George I Johnson. (bm) (Entered: 10/06/2009)
10/08/2009	<u>139</u>	MINUTES: (IN CHAMBERS) ORDER: (1) Vacating Hearing on Motion for Summary Judgment <u>137</u> and (2) Referring matter for Settlement Conference; This matter is before us for hearing on defendants motion for summary judgment on Monday, October 19, 2009. Previously, in a stipulation to continue the deadline for the filing of a summary judgment motion, plaintiff stated his desire for a settlement conference. Since then, we have been advised that defendants are also amenable to a settlement conference. Accordingly, the hearing on defendants motion for summary judgment is hereby vacated. That summary judgment motion is hereby stayed pending further order of the court. We now refer this matter to Judge Stephen J. Hillman for settlement conference. If the case settles, counsel for defendants shall notify the court clerk forthwith. If the case does not settle, counsel for defendants shall file a status report within 48 hours of termination of settlement discussions. In that event, we will issue an order vacating the stay on the motion for summary judgment and directing the filing of an opposition and a reply IT IS SO ORDERED by Judge George H. King. (ir) (Entered: 10/09/2009)
10/09/2009	<u>140</u>	MINUTES OF IN CHAMBERS ORDER held before Magistrate Judge Stephen J. Hillman: This case has been referred to Magistrate Judge Hillman for settlement.IT IS ORDERED as follows:1. Plaintiff(s) and defendant(s) shall confer immediately with each other and set a date and time for a settlement conference, after clearing the date with Magistrate Judge Hillman's clerk, Ms. Sandra L. Butler, (213)894-6487. The date selected must be soon enough to comply with any deadlines imposed by rule or by the district judge. (sbu) (Entered: 10/09/2009)
10/13/2009	<u>141</u>	EX PARTE APPLICATION to Continue POSTPONE SETTLEMENT CONFERENCE UNTIL AFTER A RULING ON THEIR PENDING MOTION FOR SUMMARY JUDGMENT Re: Order on Motion for Summary Judgment,,,, <u>139</u> filed by defendants M P Monteiro, L Parker, Mike Yarborough. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order, # <u>3</u> Proof of Service)(Coleman, Susan) (Entered: 10/13/2009)
10/14/2009	<u>142</u>	NOTICE OF ERRATA filed by Defendants M P Monteiro, L Parker, Mike Yarborough. correcting MOTION for Summary Judgment <u>137</u> TO CORRECT THE DECLARATION OF M. YARBOROUGH (Attachments: # <u>1</u> Declaration M. Yarborough, # <u>2</u> Proof of Service)(Coleman, Susan) (Entered: 10/14/2009)
10/20/2009	<u>143</u>	MINUTES: (IN CHAMBERS) ORDER: (1) VACATING OCTOBER 8, 2009 ORDER; AND (2) SETTING BRIEFING SCHEDULE FOR DEFENDANTS MOTION FOR SUMMARY JUDGMENT; subsequent to our October 8, 2009 order, defendants filed an ex parte application to postpone the settlement conference pending ruling on their motion for summary judgment. Defendants application <u>141</u> is granted. Our October 8, 2009 order <u>139</u> is hereby VACATED. Because it is not clear that plaintiff (perhaps due to changes in his address)

		received defendants motion for summary judgment, we now order Defendants to re-file and servetheir motion for summary judgment by no later than October 30, 2009. Defendants previously filed motion for summary judgment <u>137</u> is hereby STRICKEN. Plaintiff shall oppose such motion in accordance with the requirements of the Local Rules by no later than November 30, 2009. Defendants may file a reply by no later than December 14, 2009. Thereafter this matter is referred to Magistrate Judge Carolyn Turchin for her consideration. The parties shall ensure that mandatory chambers copies are sent to Judge Turchin. This motion shall not be noticed for hearing unless otherwise ordered by Judge Turchin. Defendants shall ensure that all papers are properly served on plaintiff at his place of incarceration at the time of service IT IS SO ORDERED by Judge George H. King. (ir) (Entered: 10/21/2009)
10/22/2009	<u>144</u>	(IN CHAMBERS): ORDER RESPONSE TO THE COURT'S 10/22/09 ORDER; MOTION FOR SUMMARY JUDGMENT 10/30/09; OPPOSITION 11/30/09; REPLY TO OPPOSITION 12/14/09 by Magistrate Judge Carolyn Turchin: Off Calendar <u>138</u> Motion for Order (dam) (Entered: 10/23/2009)
10/30/2009	<u>145</u>	NOTICE OF MOTION AND MOTION for Summary Judgment filed by defendants M P Monteiro, L Parker, Mike Yarborough. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Separate Statement, # <u>3</u> Declaration Carson, # <u>4</u> Declaration Curiel, # <u>5</u> Declaration Grannis, # <u>6</u> Declaration Lewis, # <u>7</u> Declaration Montiero, # <u>8</u> Declaration Parker, # <u>9</u> Declaration Yarborough, # <u>10</u> Appendix Exhibits, # <u>11</u> Exhibit A-M, # <u>12</u> Exhibit N-Y, # <u>13</u> Proposed Order, # <u>14</u> Certificate of Service, # <u>15</u> Proof of Service)(Coleman, Susan) (Entered: 10/30/2009)
10/31/2009	<u>146</u>	EXHIBIT M to MOTION for Summary Judgment <u>145</u> filed by Defendants M P Monteiro, L Parker, Mike Yarborough. (Coleman, Susan) (Entered: 10/31/2009)
11/12/2009	<u>147</u>	MINUTES OF IN CHAMBERS held before Magistrate Judge Carolyn Turchin: re: Order on Motion for Order <u>144</u> . (dam) (Entered: 11/13/2009)
11/16/2009	<u>148</u>	NOTICE Non-Representation of Plaintiff filed by Plaintiff George I Johnson. (Miller, James) (Entered: 11/16/2009)
11/17/2009	<u>149</u>	MINUTES OF IN CHAMBERS ORDER held before Magistrate Judge Carolyn Turchin: re: Notice (Other) <u>148</u> ., Set Deadlines:(OPPOSITIONS due by 11/30/2009.) (dam) (Entered: 11/17/2009)
12/02/2009	<u>150</u>	MOTION for Enlargement of Time for plaintiff to File opposition to def's summay judgment filed by plaintiff George I Johnson. (dam) (Entered: 12/03/2009)
12/03/2009	<u>151</u>	MINUTES (IN CHAMBERS): by Magistrate Judge Carolyn Turchin: granting <u>150</u> Motion for Enlargement of Time to File (dam) (Entered: 12/04/2009)
01/15/2010	<u>152</u>	MINUTES (IN CHAMBERS) by Magistrate Judge Carolyn Turchin: Plaintiff's opposition is now due on or before January 29, 2010. Defendants' reply, if any, is now due on or before February 16, 2010. (See document for further details.) (pcl) (Entered: 01/15/2010)
02/01/2010	<u>153</u>	MOTION for Enlargement of Time to File plaintiff's opposition to defendant's summary judgment filed by plaintiff George I Johnson. (dam) (Entered: 02/02/2010)
02/02/2010	<u>154</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Carolyn Turchin: granting in part and denying in part <u>153</u> Motion for Enlargement of Time to File (dam) (Entered: 02/02/2010)
02/12/2010	<u>155</u>	DECLARATION of Mitchell X. Wrosch re Order on Motion for Enlargement of Time to File <u>154</u> <i>IN RESPONSE</i> filed by Defendants M P Monteiro, L Parker, Mike Yarborough. (Attachments: # <u>1</u> Proof of Service)(Coleman, Susan) (Entered: 02/12/2010)
02/16/2010	<u>156</u>	DECLARATION re Order on Motion for Enlargement of Time to File <u>154</u> <i>SUPPLEMENTAL DECLARATION IN RESPONSE</i> filed by Defendants M P Monteiro, L Parker, Mike Yarborough. (Attachments: # <u>1</u> Proof of Service)(Coleman, Susan) (Entered: 02/16/2010)

02/28/2010	<u>157</u>	MOTION for Enlargement of Time to File opposition filed by plaintiff George I Johnson. (dam) (Entered: 03/02/2010)
03/02/2010	<u>158</u>	MINUTES (IN CHAMBERS): ORDER by Magistrate Judge Carolyn Turchin: granting <u>157</u> Motion for Enlargement of Time to File (dam) (Entered: 03/02/2010)
04/09/2010	<u>159</u>	MOTION for Extension of Time to File plaintiff's opposition filed by plaintiff George I Johnson. (dam) (Entered: 04/12/2010)
04/13/2010	<u>160</u>	MINUTES (IN CHAMBERS): ORDER denying plaintiff's motion for extension of time to file opposition by Magistrate Judge Carolyn Turchin: denying <u>159</u> Motion for Extension of Time to File (dam) (Entered: 04/13/2010)
04/20/2010	<u>161</u>	REPORT AND RECOMMENDATION issued by Magistrate Judge Carolyn Turchin. Re: MOTION for Order for Status and Clarification <u>138</u> , MOTION for Summary Judgment <u>145</u> , Complaint (Prisoner Civil Rights), Complaint (Prisoner Civil Rights) 7 Objections to RRdue by 5/4/2010 (dam) (Entered: 04/21/2010)
04/21/2010	<u>162</u>	NOTICE OF FILING REPORT AND RECOMMENDATION by Magistrate Judge Carolyn Turchin. Objections to RRdue by 5/4/2010 (Attachments: # <u>1</u> Report and Recommendation) (dam) (Entered: 04/21/2010)
05/05/2010	<u>163</u>	OBJECTION to Report and Recommendation filed by Plaintiff George I Johnson. Report and Recommendation (Final) <u>161</u> (lmh) (Entered: 05/07/2010)
05/18/2010	<u>164</u>	REPLY TO OBJECTION to Report and Recommendation (Final), Report and Recommendation (Final) <u>161</u> filed by defendants M P Monteiro, L Parker, Mike Yarborough.(Coleman, Susan) (Entered: 05/18/2010)
10/10/2010	<u>165</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS by Judge George H. King, IT IS ORDERED: 1. The Report and Recommendation is accepted. 2. Defendants' Motion for Summary Judgment is GRANTED and 3. Plaintiff's Second Amended Complaint is Dismissed without prejudice. Report and Recommendation (Final), Report and Recommendation (Final) <u>161</u> (SEE ORDER FOR FURTHER DETAILS) (lmh) (Entered: 10/12/2010)
10/10/2010	<u>166</u>	JUDGMENT by Judge George H. King, Pursuant tot he Order Adopting the Magistrate Judge's Report and Recommendation, IT IS ADJUDGED that the Second Amended Complaint is Dismissed without prejudice. Related to: Amended Complaint 23 , MOTION for Summary Judgment 99 , MOTION for Summary Judgment <u>137</u> , RRAadopting Report and Recommendations, <u>165</u> (MD JS-6, Case Terminated). (lmh) (Entered: 10/12/2010)
12/22/2010	<u>167</u>	NOTICE of Change of Lead Counsel changing lead counsel from Susan E. Coleman to Tony M. Sain. filed by defendants M P Monteiro, L Parker, Mike Yarborough, (Sain, Anthony) (Entered: 12/22/2010)
12/22/2010	<u>168</u>	NOTICE of Change of Attorney Information for attorney Anthony M Sain counsel for Defendants M P Monteiro, L Parker, Mike Yarborough. Adding Tony M. Sain as attorney as counsel of record for M.P. Monteiro, L. Parker and M. Yarborough for the reason indicated in the G-06 Notice. Filed by defendants M.P. Monteiro, L. Parker and M. Yarborough (Sain, Anthony) (Entered: 12/22/2010)