

**U.S. District Court
Eastern District of California – Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:14-cv-01679-MCE-KJN**

Sassman v. Brown et al
Assigned to: Chief Judge Morrison C. England, Jr
Referred to: Magistrate Judge Kendall J. Newman
Related Case: 2:15-cv-01722-MCE-KJN
Case in other court: USCA, 15-17052
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 07/16/2014
Date Terminated: 09/09/2015
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

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Defendant

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Date Filed	#	Docket Text
07/16/2014	<u>1</u>	COMPLAINT against Jeffrey A. Beard, Edmund G. Brown, Jr by William A. Sassman. Attorney Grunfeld, Gay Crosthwait added. (Filing fee \$ 400, receipt number 0972-5423311) (Attachments: # <u>1</u> Civil Cover Sheet)(Grunfeld, Gay) (Entered: 07/16/2014)
07/16/2014	<u>2</u>	NOTICE of RELATED CASE 2:90-cv-00520 by William A. Sassman. (Grunfeld, Gay) (Entered: 07/16/2014)

07/16/2014	<u>3</u>	SUMMONS ISSUED as to *Jeffrey A. Beard, Edmund G. Brown, Jr* with answer to complaint due within *21* days. Attorney *Gay Crosthwait Grunfeld* *Rosen Bien Galvan and Grunfeld LLP* *315 Montgomery Street, 10th Floor* *San Francisco, CA 94104*. (Mena-Sanchez, L) (Entered: 07/16/2014)
07/16/2014	<u>4</u>	CIVIL NEW CASE DOCUMENTS ISSUED; (Attachments: # <u>1</u> Consent to Magistrate Judge, # <u>2</u> VDRP) (Mena-Sanchez, L) (Entered: 07/16/2014)
07/16/2014	<u>5</u>	MOTION for PRELIMINARY INJUNCTION RELIEF by William A. Sassman. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Declaration, # <u>3</u> Declaration, # <u>4</u> Declaration, # <u>5</u> Request, # <u>6</u> Proposed Order) (Grunfeld, Gay) Modified on 7/18/2014 (Donati, J). (Entered: 07/16/2014)
07/21/2014	<u>6</u>	SUMMONS RETURNED EXECUTED: Edmund G. Brown, Jr served on 7/17/2014, answer due 8/7/2014. (Thompson, Blake) (Entered: 07/21/2014)
07/21/2014	<u>7</u>	SUMMONS RETURNED EXECUTED: Jeffrey A. Beard served on 7/17/2014, answer due 8/7/2014. (Thompson, Blake) (Entered: 07/21/2014)
07/24/2014	<u>8</u>	MINUTE ORDER (Text Only) issued by courtroom deputy for Chief District Judge, Morrison C. England, Jr.: The Court is in receipt of the Motion for Preliminary Injunction (ECF No. 5). The Motion as filed is deficient should be renoticed in compliance with Local Rule 230(a) before Chief Judge Morrison C. England, Jr. Accordingly, the 8/13/2014 hearing is vacated. Available law and motion dates can be located on the Court's website at: www.caed.uscourts.gov. (Deutsch, S) (Entered: 07/24/2014)
08/07/2014	<u>9</u>	ANSWER with Jury Demand by Jeffrey A. Beard, Edmund G. Brown, Jr. Attorney D'Agostino, Martine N. added. (Attachments: # <u>1</u> Proof of Service)(D'Agostino, Martine) (Entered: 08/07/2014)
08/07/2014	<u>10</u>	RESPONSE by Jeffrey A. Beard, Edmund G. Brown, Jr to <u>2</u> Notice of Related Case – ATY. (Attachments: # <u>1</u> Proof of Service)(D'Agostino, Martine) (Entered: 08/07/2014)
08/07/2014	<u>11</u>	NOTICE to RESCHEDULE HEARING on <u>5</u> MOTION for PRELIMINARY INJUNCTION : Motion Hearing set for 9/4/2014 at 02:00 PM in Courtroom 7 (MCE) before Chief Judge Morrison C. England Jr.. (Grunfeld, Gay) (Entered: 08/07/2014)
08/18/2014	<u>12</u>	[DISREGARD] RESPONSE by Jeffrey A. Beard, Edmund G. Brown, Jr to <u>2</u> Notice of Related Case – ATY. Attorney Sharma, Maneesh added. (Attachments: # <u>1</u> Proof of Service)(Sharma, Maneesh) Modified on 8/18/2014 (docketed in wrong case) (Becknal, R). (Entered: 08/18/2014)
08/18/2014	<u>13</u>	REPLY by William A. Sassman re <u>2</u> Notice of Related Case – ATY. (Grunfeld, Gay) (Entered: 08/18/2014)
08/21/2014	<u>14</u>	NON-RELATED CASE ORDER signed by Chief Judge Morrison C. England, Jr on 8/20/14 re <u>2</u> Notice of Related Case: The Court has determined, that it is inappropriate to relate or reassign the cases, the therefore declines to do so. This order is issued for informational purposes only, and shall have no effect on the status of the cases, including any previous Related (or Non-Related) Case Order of this Court. (Meuleman, A) (Entered: 08/21/2014)
08/21/2014	<u>15</u>	OPPOSITION by Jeffrey A. Beard, Edmund G. Brown, Jr to <u>5</u> MOTION for PRELIMINARY INJUNCTION . (Attachments: # <u>1</u> Proof of Service)(D'Agostino, Martine) (Entered: 08/21/2014)
08/21/2014	<u>16</u>	REQUEST for JUDICIAL NOTICE by Jeffrey A. Beard, Edmund G. Brown, Jr in re <u>15</u> Opposition to Motion. (Attachments: # <u>1</u> Exhibit A)(D'Agostino, Martine) (Entered: 08/21/2014)
08/21/2014	<u>17</u>	DECLARATION of Jay Virbel re <u>15</u> Opposition to Motion. (D'Agostino, Martine) (Entered: 08/21/2014)
08/21/2014	<u>18</u>	DECLARATION of Martine D'Agostino re <u>15</u> Opposition to Motion. (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, # <u>10</u> Exhibit J)(D'Agostino, Martine) (Entered: 08/21/2014)

08/21/2014	<u>19</u>	OBJECTIONS by Defendants Jeffrey A. Beard, Edmund G. Brown, Jr to <u>5</u> MOTION for PRELIMINARY INJUNCTION . (Sharma, Maneesh) (Entered: 08/21/2014)
08/28/2014	<u>20</u>	MOTION TO STRIKE all affirmative defenses and demand for jury trial re <u>9</u> Answer by William A. Sassman. Motion Hearing SET for 10/2/2014 at 02:00 PM in Courtroom 7 (MCE) before Chief Judge Morrison C. England, Jr. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Proposed Order) (Grunfeld, Gay) Modified on 8/29/2014 (Michel, G). (Entered: 08/28/2014)
08/28/2014	<u>21</u>	REPLY to <u>15</u> Opposition to <u>5</u> Motion for Preliminary Injunction by William A. Sassman. (Attachments: # <u>1</u> Declaration of Eldon Vail, # <u>2</u> Declaration of Jody Boyle, # <u>3</u> Declaration of Shirley Sassman, # <u>4</u> Declaration of Van Swearingen, # <u>5</u> Response to Defendants' Evidentiary Objections) (Grunfeld, Gay) Modified on 8/29/2014 (Michel, G). (Entered: 08/28/2014)
08/28/2014	<u>22</u>	OBJECTIONS and REQUEST TO STRIKE <u>17</u> Declaration of Jay Virbel by Plaintiff William A. Sassman. (Grunfeld, Gay) Modified on 8/29/2014 (Michel, G). (Entered: 08/28/2014)
08/29/2014	23	MINUTE ORDER (Text Only) issued by courtroom deputy for Chief District Judge, Morrison C. England, Jr.: On the Court's on motion the 9/4/2014 Motion for Preliminary Injunction (ECF No. 5) is vacated and continued to 10/2/2014 at 2:00 p.m. in Courtroom 7. (Deutsch, S) (Entered: 08/29/2014)
09/09/2014	24	MINUTE ORDER (Text Only) issued by courtroom deputy for Chief District Judge, Morrison C. England, Jr.: On the Court's own motion, the October 2, 2014 Motion for Preliminary Injunction (ECF No. 5) and Plaintiff's Motion to Strike (ECF No. 20) are vacated and ADVANCED for oral argument to October 1, 2014 at 9:30 a.m. in Courtroom 7. The personal appearances of counsel are required and the Court will not entertain requests for telephonic appearances. (Deutsch, S) (Entered: 09/09/2014)
09/10/2014	<u>25</u>	MOTION to STRIKE the Declarations of Eldon Vail and Jody Boyle by defendants. Motion Hearing set for 10/1/2014 at 2:00 PM in Courtroom 7 (MCE) before Chief Judge Morrison C. England Jr.. (Attachments: # <u>1</u> Proof of Service) (D'Agostino, Martine) Modified on 9/11/2014 (Marciel, M) (Entered: 09/10/2014)
09/10/2014	<u>26</u>	RESPONSE by defendants to plaintiff's Objections and <u>22</u> Request to Strike Declaration of Jay Virbel. (Attachments: # <u>1</u> Proof of Service) (Sharma, Maneesh) Modified on 9/11/2014 (Marciel, M) (Entered: 09/10/2014)
09/15/2014	<u>27</u>	JOINT STATUS REPORT by William A. Sassman. (Thompson, Blake) (Entered: 09/15/2014)
09/17/2014	<u>28</u>	OPPOSITION by Jeffrey A. Beard, Edmund G. Brown, Jr to <u>20</u> MOTION to STRIKE <i>All Affirmative Defenses in Defendants' Answer and Defendants' Demand for Jury Trial</i> . (Attachments: # <u>1</u> Proof of Service)(D'Agostino, Martine) (Entered: 09/17/2014)
09/17/2014	<u>29</u>	DECLARATION of Martine D'Agostino re <u>28</u> Opposition to Motion. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(D'Agostino, Martine) (Entered: 09/17/2014)
09/17/2014	<u>30</u>	PROPOSED ORDER re Granting Defendants' Motion for Leave to File an Amended Answer re <u>28</u> Opposition to Motion by Jeffrey A. Beard, Edmund G. Brown, Jr. (D'Agostino, Martine) (Entered: 09/17/2014)
09/17/2014	<u>31</u>	OPPOSITION by William A. Sassman to <u>25</u> Motion to Strike the Declarations of Eldon Vail and Jody Boyle. (Thompson, Blake) (Entered: 09/17/2014)
09/24/2014	<u>32</u>	REPLY re <u>20</u> Motion to Strike by William A. Sassman. (Thompson, Blake) Modified on 9/25/2014 (Michel, G). (Entered: 09/24/2014)
10/01/2014	33	MINUTES (Text Only) for proceedings held before Chief Judge Morrison C. England, Jr.: MOTIONS HEARING held on 10/1/2014. After argument from counsel, the Court denied the Plaintiff's Motion for Preliminary Injunction (ECF No. 5) and submitted the Plaintiff's Motion to Strike (ECF No. 20) and Defendants' Motion to Strike Declarations (ECF No. 25). A formal, written order is forthcoming. Plaintiff's Counsel Blake Thompson, present. Defendants' Counsel Martine D'Agostino, Jay Russell, Maneesh Sharma, present. Court Reporter: Michelle Babbitt. Interpreter none present. (Deutsch, S) (Entered: 10/01/2014)

10/07/2014	<u>34</u>	TRANSCRIPT of Proceedings held on 10-1-14, before Chief Judge Morrison C. England, Jr, filed by Court Reporter Michelle Babbitt, E-mail mbabbitt@caed.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through Reporter Babbitt or PACER. Any Notice of Intent to Request Redaction must be filed within 5 court days. Redaction Request due 10/30/2014. Redacted Transcript Deadline set for 11/7/2014. Release of Transcript Restriction set for 1/5/2015. (Babbitt, M) (Entered: 10/07/2014)
10/09/2014	<u>35</u>	MOTION for RECONSIDERATION of 33 Denial of Preliminary Injunction by William A. Sassman. Motion Hearing set for 11/13/2014 at 2:00 PM in Courtroom 7 (MCE) before Chief Judge Morrison C. England Jr.. (Attachments: # <u>1</u> Declaration of Shirley Sassman, # <u>2</u> Declaration of Colin Spears, M.D., # <u>3</u> Declaration of Blake Thompson, # <u>4</u> Proposed Order granting Motion for Preliminary Injunctio, # <u>5</u> Proposed Order granting Motion) (Thompson, Blake) Modified on 10/14/2014 (Marciel, M) (Entered: 10/09/2014)
10/09/2014	<u>36</u>	MOTION to SHORTEN TIME for Plaintiff's Motion for Reconsideration of Denial of Preliminary Injunction by William A. Sassman. (Thompson, Blake) (Entered: 10/09/2014)
10/13/2014	<u>37</u>	RESPONSE by Jeffrey A. Beard, Edmund G. Brown, Jr to <u>36</u> MOTION to SHORTEN TIME for Plaintiff's Motion for Reconsideration of Denial of Preliminary Injunction . (Attachments: # <u>1</u> Proof of Service)(D'Agostino, Martine) (Entered: 10/13/2014)
10/14/2014	<u>38</u>	MEMORANDUM and ORDER signed by Chief Judge Morrison C. England, Jr. on 10/14/2014. Plaintiff's <u>5</u> Motion for Preliminary Injunction is DENIED. Plaintiff's <u>22</u> Objections and Request to Strike is DENIED without prejudice. Defendants' <u>25</u> Motion to Strike is DENIED without prejudice. Plaintiff's <u>35</u> Motion for Reconsideration is DENIED in part. Plaintiff's <u>36</u> Motion to Shorten Time is GRANTED. Not later than 10/16/2014, government is required to respond to plaintiff's Request for accelerated Discovery and Summary Judgment schedule. Any Reply must be filed not later than 9:00 a.m. on 10/20/2014. In the meantime, scheduling deadlines are set as follows: A) Discovery i) All discovery, with the exception of Expert Discovery, shall be completed by 11/28/2014; ii) All expert discovery shall be completed by 12/31/2014. B) Motions for Summary Judgment i) Any Motion for Summary Judgment shall be filed not later than 1/30/2015; ii) Oppositions shall be filed not later than 2/20/2015; iii) Replies shall be filed not later than 3/5/2015; and iv) Motion for Summary Judgment Hearing is set on 3/19/2015 at 2:00 PM. (Marciel, M) (Entered: 10/14/2014)
10/16/2014	<u>39</u>	RESPONSE by Jeffrey A. Beard, Edmund G. Brown, Jr., to <u>38</u> Order. (Attachments: # <u>1</u> Proof of Service)(D'Agostino, Martine) Modified on 10/20/2014 (Kastilahn, A). (Entered: 10/16/2014)
10/16/2014	<u>40</u>	DECLARATION of Jill Brown re <u>39</u> Response. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(D'Agostino, Martine) (Entered: 10/16/2014)
10/16/2014	<u>41</u>	DECLARATION of Martine D'Agostino re <u>39</u> Response,. (D'Agostino, Martine) (Entered: 10/16/2014)
10/16/2014	<u>42</u>	DECLARATION of Mark Mackler re <u>39</u> Response,. (D'Agostino, Martine) (Entered: 10/16/2014)
10/19/2014	<u>43</u>	REPLY by William A. Sassman on MOTION for Reconsideration and Request for expedited briefing schedule <u>39</u> . (Attachments: # <u>1</u> Declaration of Blake Thompson)(Thompson, Blake) Modified on 10/20/2014 (Mena-Sanchez, L). (Entered: 10/19/2014)
10/29/2014	<u>44</u>	MEMORANDUM and ORDER signed by Chief Judge Morrison C. England, Jr on 10/29/14 ORDERING Plaintiff's Motion to Strike <u>20</u> is GRANTED, but with leave to amend. Any amended answer must be filed not later than ten (10) days following the date this Order is electronically filed. (Becknal, R) (Entered: 10/29/2014)
11/04/2014	45	MINUTE ORDER (Text Only) issued by courtroom deputy for Chief District Judge, Morrison C. England, Jr.: On the Court's own motion and pursuant to Local Rule 230(g), the Plaintiff's Motion for Reconsideration (ECF No. 35) scheduled for hearing on 11/13/2014, is submitted without oral argument and the hearing is vacated. If the

		Court determines that oral argument is needed it will be scheduled at a later date.(Deutsch, S) (Entered: 11/04/2014)
11/07/2014	<u>46</u>	AMENDED ANSWER by Jeffrey A. Beard, Edmund G. Brown, Jr. (Attachments: # <u>1</u> Proof of Service)(D'Agostino, Martine) Modified on 11/12/2014 (Mena-Sanchez, L). (Entered: 11/07/2014)
11/21/2014	<u>47</u>	PRETRIAL SCHEDULING ORDER signed by Chief Judge Morrison C. England, Jr., on 11/20/14 ORDERING that all discovery, with the exception of expert discovery, shall be completed by 11/28/15. Designation of Expert Witnesses due by 12/31/15. Motions for summary judgment shall be heard on 3/19/15, motion for summary judgment filed by 1/30/15, opposition filed by 2/20/15, and reply filed by 3/5/15. (Kastilahn, A) (Entered: 11/21/2014)
12/31/2014	<u>48</u>	DESIGNATION/DISCLOSURE of EXPERT WITNESS by Jeffrey A. Beard, Edmund G. Brown, Jr. (Attachments: # <u>1</u> Exhibit A)(Sharma, Maneesh) (Entered: 12/31/2014)
12/31/2014	<u>49</u>	DESIGNATION/DISCLOSURE of EXPERT WITNESS by William A. Sassman. (Swearingen, Richard) (Entered: 12/31/2014)
01/30/2015	<u>50</u>	MOTION for SUMMARY JUDGMENT by William A. Sassman. Motion Hearing set for 3/19/2015 at 02:00 PM in Courtroom 7 (MCE) before Chief Judge Morrison C. England Jr.. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Statement of Undisputed Facts, # <u>3</u> Index of Exhibits, # <u>4</u> Declaration of Van Swearingen & Exs. A-N, # <u>5</u> Exhibit Exs. O-V of Swearingen Declaration, # <u>6</u> Exhibit Exs. W-DD of Swearingen Declaration, # <u>7</u> Declaration of William Sassman & Exs. A-H, # <u>8</u> Declaration of Sarah Fontaine & Exs. A-B, # <u>9</u> Declaration of Shean Collins, # <u>10</u> Request for Judicial Notice, # <u>11</u> Proposed Order)(Grunfeld, Gay) Modified on 2/10/2015 (Zignago, K.). (Entered: 01/30/2015)
01/30/2015	<u>51</u>	MOTION for SUMMARY JUDGMENT by Jeffrey A. Beard, Edmund G. Brown, Jr. Motion Hearing set for 3/19/2015 at 02:00 PM in Courtroom 7 (MCE) before Chief Judge Morrison C. England Jr.. (Attachments: # <u>1</u> Proof of Service)(D'Agostino, Martine) (Entered: 01/30/2015)
01/30/2015	<u>52</u>	DECLARATION of Martine D'Agostino in SUPPORT OF <u>51</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(D'Agostino, Martine) (Entered: 01/30/2015)
01/30/2015	<u>53</u>	DECLARATION of Jill Brown in SUPPORT OF <u>50</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Exhibit A - Part 1, # <u>2</u> Exhibit A - Part 2, # <u>3</u> Exhibit A - Part 3, # <u>4</u> Exhibit A - Part 4, # <u>5</u> Exhibit A - Part 5)(D'Agostino, Martine) (Entered: 01/30/2015)
01/30/2015	<u>54</u>	STATEMENT of Undisputed Material Facts by Defendants Jeffrey A. Beard, Edmund G. Brown, Jr re <u>51</u> MOTION for SUMMARY JUDGMENT. (D'Agostino, Martine) (Entered: 01/30/2015)
01/30/2015	<u>55</u>	PROPOSED ORDER re Granting Defendants' <u>51</u> Motion for Summary Judgment. (D'Agostino, Martine) Modified on 2/10/2015 (Zignago, K.). (Entered: 01/30/2015)
01/30/2015	<u>56</u>	MOTION to Exclude Expert Report and Testimony of Thomas G. Hoffman by Jeffrey A. Beard, Edmund G. Brown, Jr. Motion Hearing set for 3/19/2015 at 02:00 PM in Courtroom 7 (MCE) before Chief Judge Morrison C. England Jr.. (Sharma, Maneesh) Modified on 2/10/2015 (Zignago, K.). (Entered: 01/30/2015)
01/30/2015	<u>57</u>	DECLARATION of Maneesh Sharma in SUPPORT OF <u>56</u> Motion to Exclude Expert Report and Testimony of Thomas G. Hoffman. (Attachments: # <u>1</u> Exhibit A)(Sharma, Maneesh) Modified on 2/10/2015 (Zignago, K.). (Entered: 01/30/2015)
01/30/2015	<u>58</u>	PROPOSED ORDER re <u>56</u> Motion to Exclude Expert Report and Testimony of Thomas G. Hoffman by Jeffrey A. Beard, Edmund G. Brown, Jr. (Sharma, Maneesh) Modified on 2/10/2015 (Zignago, K.). (Entered: 01/30/2015)
02/04/2015	<u>59</u>	DESIGNATION of COUNSEL FOR SERVICE., attorney Kathryn Grzenczyk Mantoan terminated (Grunfeld, Gay) (Entered: 02/04/2015)

02/19/2015	<u>60</u>	MOTION to STRIKE <i>Reports and Testimony of Messina</i> by William A. Sassman. Motion Hearing set for 3/19/2015 at 02:00 PM in Courtroom 7 (MCE) before Chief Judge Morrison C. England Jr.. (Attachments: # <u>1</u> Memorandum iso Motion to Exclude Reports and Testimony of Messina, # <u>2</u> Declaration of Van Swearingen, # <u>3</u> Proposed Order)(Grunfeld, Gay) (Entered: 02/19/2015)
02/20/2015	<u>61</u>	OPPOSITION to <u>51</u> Motion for Summary Judgment by William A. Sassman. (Attachments: # <u>1</u> Declaration of Van Swearingen, # <u>2</u> Response to Separate Statement of Undisputed Material Facts) (Grunfeld, Gay) Modified on 2/23/2015 (Michel, G.). (Entered: 02/20/2015)
02/20/2015	<u>62</u>	OPPOSITION to <u>50</u> Motion for Summary Judgment by Jeffrey A. Beard, Edmund G. Brown, Jr. (Attachments: # <u>1</u> Declaration of Rodger Meier, # <u>2</u> Exhibit A, # <u>3</u> Declaration of Martine D'Agostino, # <u>4</u> Exhibit A, # <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> Response to Separate Statement of Undisputed Material Facts) (D'Agostino, Martine) Modified on 2/23/2015 (Michel, G.). (Entered: 02/20/2015)
03/05/2015	<u>63</u>	REPLY by Jeffrey A. Beard, Edmund G. Brown, Jr re <u>51</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Proof of Service)(D'Agostino, Martine) (Entered: 03/05/2015)
03/05/2015	<u>64</u>	DECLARATION of Martine D'Agostino re <u>63</u> Reply. (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)(D'Agostino, Martine) (Entered: 03/05/2015)
03/05/2015	<u>65</u>	DECLARATION of Robin Harrington re <u>63</u> Reply. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(D'Agostino, Martine) (Entered: 03/05/2015)
03/05/2015	<u>66</u>	REPLY by William A. Sassman re <u>50</u> MOTION for SUMMARY JUDGMENT. (Attachments: # <u>1</u> Declaration of Van Swearingen in Support of Plaintiff's Motion for Summary Judgment and in Opposition to Defendants' Motion to Exclude Thomas Hoffman)(Grunfeld, Gay) (Entered: 03/05/2015)
03/05/2015	<u>67</u>	OPPOSITION by William A. Sassman to <u>56</u> MOTION to Exclude Expert Report and Testimony of Thomas G. Hoffman. (Grunfeld, Gay) (Entered: 03/05/2015)
03/05/2015	<u>68</u>	OPPOSITION by Jeffrey A. Beard, Edmund G. Brown, Jr to <u>60</u> MOTION to STRIKE <i>Reports and Testimony of Messina</i> . (Attachments: # <u>1</u> Declaration Dr. Nena Messina)(Sharma, Maneesh) (Entered: 03/05/2015)
03/11/2015	69	MINUTE ORDER (Text Only) issued by courtroom deputy for Chief District Judge, Morrison C. England, Jr.: On the Court's own motion and pursuant to Local Rule 230(g) the Plaintiff's Motion for Summary Judgment (ECF No. 50), Defendant's Motion for Summary Judgment (ECF No. 51) and Plaintiff's Motions to Strike (ECF No. 56 and 60), scheduled for hearing on March 19, 2015, are submitted without oral argument and the hearing is vacated. If the Court determines that oral argument is needed it will be scheduled at a later date. (Deutsch, S) (Entered: 03/11/2015)
03/12/2015	<u>70</u>	REPLY in support of <u>60</u> Motion to Strike Reports and Testimony of Nena Messina by William A. Sassman. (Grunfeld, Gay) Modified on 3/13/2015 (Michel, G.). (Entered: 03/12/2015)
03/12/2015	<u>71</u>	DECLARATION of Van Swearingen in support of <u>60</u> Motion to Strike Reports and Testimony of Nena Messina. (Swearingen, Richard) Modified on 3/13/2015 (Michel, G.). (Entered: 03/12/2015)
03/12/2015	<u>72</u>	REPLY in support of <u>56</u> Motion to Exclude Expert Report and Testimony of Thomas G. Hoffman by Jeffrey A. Beard, Edmund G. Brown, Jr. (Attachments: # <u>1</u> Proof of Service) (Sharma, Maneesh) Modified on 3/13/2015 (Michel, G.). (Entered: 03/12/2015)
03/12/2015	<u>73</u>	DECLARATION of Maneesh Sharma re <u>72</u> Reply. (Attachments: # <u>1</u> Exhibit A) (Sharma, Maneesh) (Entered: 03/12/2015)
06/30/2015	<u>74</u>	NOTICE of <i>Supplemental Authority</i> by William A. Sassman. (Grunfeld, Gay) (Entered: 06/30/2015)

08/13/2015	<u>75</u>	NOTICE of RELATED CASE 2:15-cv-01722 by William A. Sassman. (Swearingen, Richard) (Entered: 08/13/2015)
09/01/2015	<u>76</u>	RELATED CASE ORDER signed by Chief Judge Morrison C. England, Jr. on 8/31/2015 FINDING that this matter is related to the action denominated 2:15-cv-01722 JAM AC within the meaning of Local Rule 123(a); REASSIGNING the related case to Chief Judge Morrison C. England, Jr. and Magistrate Judge Kendall J. Newman for all further proceedings; DIRECTING the Clerk of Court to make the appropriate adjustment in the assignment of civil cases to compensate for this reassignment. (Michel, G.) (Entered: 09/01/2015)
09/09/2015	<u>77</u>	MEMORANDUM AND ORDER signed by Chief Judge Morrison C. England, Jr. on 09/08/15 ORDERING that California's decision to open an alternative custody program to female inmates only and to permit them to apply for release up to two years prior to their earliest possible release date violates the Equal Protection Clause of 14th Amendment to the U.S. Constitution; defendant's <u>51</u> Motion for Summary Judgment is DENIED; plaintiff's <u>50</u> Motion for Summary Judgment is GRANTED; both <u>56</u> <u>60</u> Motions to Strike are DENIED. Defendants are hereby enjoined and prohibited from applying and/or enforcing the female-only provisions of California Penal Code § 1170.05(a) and (c) in the implementation and administration of the ACP. CDCR shall immediately CEASE denying admission to the ACP on the basis that an applicant is male. Male prisoners shall be accepted into the ACP if they are otherwise eligible under Penal Code section 1170.05 and the implementing regulations. Within 30 calendar days, CDCR shall modify its website and any application forms, regulations, and materials provided to prisoners and the public about the ACP to remove any reference to the requirement that a prisoner must be female to apply or participate. This Order shall apply to defendants, their agents, employees, successors in office, and all persons with knowledge of it. No person who has notice of this injunction shall fail to comply with it, nor shall any person subvert the injunction by any sham, indirection, or other artifice. The Court retains jurisdiction to enforce the terms of this injunction. CASE CLOSED (Benson, A) (Entered: 09/09/2015)
09/09/2015	<u>78</u>	JUDGMENT dated *09/09/15* pursuant to order signed by Chief Judge Morrison C. England, Jr. on 09/09/15. (Benson, A) (Entered: 09/09/2015)
09/21/2015	<u>79</u>	STIPULATION and PROPOSED ORDER for Extension of Time for Application for Fees and Costs by William A. Sassman. (Grunfeld, Gay) (Entered: 09/21/2015)
09/23/2015	<u>80</u>	BILL of COSTS SUBMITTED by William A. Sassman. (Thompson, Blake) (Entered: 09/23/2015)
09/25/2015	<u>81</u>	NOTICE of CHANGE of ADDRESS by Richard Van Swearingen. (Swearingen, Richard) (Entered: 09/25/2015)
09/28/2015	<u>82</u>	STIPULATION AND ORDER signed by Chief Judge Morrison C. England, Jr. on 9/25/2015 ORDERING the plaintiff to file his application for attorneys' fees and costs by 12/4/2015. (Michel, G.) (Entered: 09/28/2015)
10/07/2015	<u>83</u>	MOTION TO MODIFY DEADLINES in the 9/9/15 ORDER [FED. R. CIV. P. 60(b)(6)] by Jeffrey A. Beard, Edmund G. Brown, Jr. Attorney Bower, Alicia Anne added. Motion Hearing set for 11/12/2015 at 02:00 PM in Courtroom 7 (MCE) before Chief Judge Morrison C. England Jr.. (Bower, Alicia) Modified on 10/9/2015 (Kastilahn, A). (Entered: 10/07/2015)
10/07/2015	<u>84</u>	DECLARATION of Jay Virbel re <u>83</u> MOTION TO MODIFY DEADLINES IN SEPTEMBER 9, 2015 ORDER [FED. R. CIV. P. 60(b)(6)]. (Attachments: # <u>1</u> Exhibit A)(Bower, Alicia) (Entered: 10/07/2015)
10/07/2015	<u>85</u>	PROPOSED ORDER re <u>83</u> DEFENDANTS' MOTION TO MODIFY DEADLINES in the 9/9/15 Order [FED. R. CIV. P. 60(b)(6)] by Jeffrey A. Beard, Edmund G. Brown, Jr. (Bower, Alicia) Modified on 10/9/2015 (Kastilahn, A). (Entered: 10/07/2015)
10/09/2015	<u>86</u>	NOTICE of APPEAL by Jeffrey A. Beard, Edmund G. Brown, Jr. (Filing fee \$ 505, receipt number 0972-6118563) (Attachments: # <u>1</u> Exhibit Attachments A & B)(D'Agostino, Martine) (Entered: 10/09/2015)

10/14/2015	<u>87</u>	APPEAL PROCESSED to Ninth Circuit re <u>86</u> Notice of Appeal filed by Jeffrey A. Beard, Edmund G. Brown, Jr.. Notice of Appeal filed *10/9/2015*, Complaint filed *7/16/2014* and Appealed Order / Judgment filed *9/9/2015*. Court Reporter: *Michelle Babbitt*. *Fee Status: Paid on 10/9/2015 in the amount of \$505.00* (Attachments: # <u>1</u> Appeal Information) (Zignago, K.) (Entered: 10/14/2015)
10/15/2015	<u>88</u>	MOTION to ENFORCE JUDGMENT by William A. Sassman. Motion Hearing set for 11/12/2015 at 02:00 PM in Courtroom 7 (MCE) before Chief Judge Morrison C. England Jr.. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Declaration of Blake Thompson, # <u>3</u> Declaration of Bayardo Escobar, # <u>4</u> Proposed Order)(Thompson, Blake) Modified on 10/19/2015 (Zignago, K.). (Entered: 10/15/2015)
10/19/2015	<u>89</u>	COSTS TAXED in amount of \$ 11,963.56 against Defendants. (Kaminski, H) (Entered: 10/20/2015)
10/29/2015	<u>90</u>	OPPOSITION by Jeffrey A. Beard, Edmund G. Brown, Jr to <u>88</u> MOTION to ENFORCE JUDGMENT . (D'Agostino, Martine) (Entered: 10/29/2015)
10/29/2015	<u>91</u>	DECLARATION of Jay Virbel re <u>90</u> Opposition to Motion. (D'Agostino, Martine) (Entered: 10/29/2015)
10/29/2015	<u>92</u>	OPPOSITION by William A. Sassman to <u>83</u> MOTION TO MODIFY DEADLINES IN SEPTEMBER 9, 2015 ORDER. (Attachments: # <u>1</u> Declaration of Blake Thompson. (Thompson, Blake) Modified on 10/29/2015 (Kaminski, H). (Entered: 10/29/2015)
11/05/2015	<u>93</u>	DESIGNATION OF COUNSEL FOR SERVICE: Attorney Jesse Abram Stout TERMINATED. (Thompson, Blake) (Entered: 11/05/2015)
11/05/2015	<u>94</u>	REPLY re <u>88</u> Motion to Enforce Judgment by William A. Sassman. (Thompson, Blake) Modified on 11/25/2015 (Michel, G.). (Entered: 11/05/2015)
11/05/2015	<u>95</u>	REPLY in support of <u>83</u> Motion to Modify Deadlines re <u>77</u> Memorandum and Order by Jeffrey A. Beard, Edmund G. Brown, Jr. (Attachments: # <u>1</u> Declaration of Jay Virbel) (D'Agostino, Martine) Modified on 11/25/2015 (Michel, G.). (Entered: 11/05/2015)
11/09/2015	96	MINUTE ORDER (Text Only) issued by courtroom deputy for Chief District Judge, Morrison C. England, Jr.: On the Court's own motion and pursuant to Local Rule 230(g), the Defendants' Motion to Modify Deadlines (ECF No. 93) and Plaintiffs' Motion to Enforce Judgment (ECF No. 88), both scheduled for hearing on November 12, 2015, are submitted without oral argument and the hearing is vacated. If the Court determines that oral argument is needed it will be scheduled at a later date. Any outstanding request for telephonic appearance is denied as moot. (Deutsch, S) (Entered: 11/09/2015)
11/19/2015	<u>97</u>	STIPULATION and PROPOSED ORDER for Extension of Time to File Fee Application by William A. Sassman. (Grunfeld, Gay) (Entered: 11/19/2015)
12/01/2015	<u>98</u>	ORDER signed by Chief Judge Morrison C. England, Jr on 11/30/2015 ORDERING <u>97</u> that the deadline for Plaintiff to file his application for attorneys' fees and costs is hereby EXTENDED up to and including 1/11/2016. (Reader, L) (Entered: 12/01/2015)
12/01/2015	99	USCA CASE NUMBER 15-17052 for <u>86</u> Notice of Appeal filed by Jeffrey A. Beard, Edmund G. Brown, Jr.. (Zignago, K.) (Entered: 12/01/2015)
12/15/2015	<u>100</u>	MEMORANDUM, and ORDER signed by Chief Judge Morrison C. England, Jr on 12/15/15 ORDERING that Defendants' Motion to Modify Deadlines ECF No. <u>83</u> is GRANTED, and Plaintiff's Motion to Enforce Judgment ECF No. <u>88</u> is DENIED. The deadlines set forth in the conclusion of the Court's 9/9/15, Memorandum and Order ECF No. <u>77</u> , are hereby EXTENDED to 4/9/2016.(Mena-Sanchez, L) (Entered: 12/15/2015)
12/23/2015	<u>101</u>	STIPULATION and PROPOSED ORDER for extension of time to file fee application by William A. Sassman. (Grunfeld, Gay) Modified on 12/23/2015 (Marciel, M) (Entered: 12/23/2015)

01/07/2016	<u>102</u>	STIPULATION and ORDER signed by Judge John A. Mendez on 01/07/2016 ORDERING that the deadline for plaintiff to submit an application for attorneys' fees and costs is EXTENDED to 02/10/16. (Jackson, T) (Entered: 01/08/2016)
01/29/2016	<u>103</u>	STIPULATION and PROPOSED ORDER for Extension of Time to File Fee Application by William A. Sassman. (Grunfeld, Gay) (Entered: 01/29/2016)
02/04/2016	<u>104</u>	STIPULATION AND ORDER signed by Chief Judge Morrison C. England, Jr. on 2/2/2016 ORDERING the plaintiff to file his application for attorneys' fees and costs by 3/11/2016. (Michel, G.) (Entered: 02/04/2016)
02/16/2016	<u>105</u>	NOTICE by William A. Sassman re CDCR non-compliance with <u>77</u> Order (Zignago, K.) (Entered: 02/17/2016)
03/16/2016	<u>106</u>	ORDER and MANDATE of USCA as to <u>86</u> Notice of Appeal: Pursuant to the stipulation of the parties, this appeal is voluntarily dismissed. Fed. R. App. P. 42(b). The parties agree to bear their own costs and attorneys' fees on appeal. (Benson, A) (Entered: 03/16/2016)
04/14/2016	<u>107</u>	(DISREGARD and REFER to Amended Response <u>108</u>) RESPONSE by Edmund G. Brown, Jr., to <u>77</u> Order. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(D'Agostino, Martine) Modified on 4/15/2016 (Kastilahn, A). (Entered: 04/14/2016)
04/14/2016	<u>108</u>	AMENDED RESPONSE by Edmund G. Brown, Jr., to <u>77</u> Order. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(D'Agostino, Martine) Modified on 4/15/2016 (Kastilahn, A). (Entered: 04/14/2016)