

**U.S. District Court
Eastern District of California – Live System (Sacramento)
CIVIL DOCKET FOR CASE #: 2:12-cv-00450-JAM-EFB**

Baker, et al v. Katehi, et al
Assigned to: District Judge John A. Mendez
Referred to: Magistrate Judge Edmund F. Brennan
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 02/22/2012
Date Terminated: 01/09/2013
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

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V.

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Date Filed	#	Docket Text
02/22/2012	<u>1</u>	COMPLAINT against all defendants by plaintiffs; DEMAND for Jury Trial.(Merin, Mark) (Entered: 02/22/2012)
02/22/2012	<u>2</u>	CIVIL COVER SHEET by plaintiffs (Merin, Mark) (Entered: 02/22/2012)
02/22/2012		RECEIPT number # CAE200042410 \$350.00 fbo plaintiffs E. Baker, D. Buscho, et al by Mark Merin on 2/22/2012. (Marciel, M) (Entered: 02/22/2012)
02/22/2012	<u>4</u>	SUMMONS ISSUED as to *Ralph J. Hexter, Linda Katehi, John Meyer, John Pike, Annette Spicuzza, Fred Wood* with answer to complaint due within *21* days. Attorney *Mark E. Merin* *Law Offices of Mark E. Merin* *1010 F Street, Suite 300* *Sacramento, CA 95814*. (Marciel, M) (Entered: 02/22/2012)
02/22/2012	<u>5</u>	CIVIL NEW CASE DOCUMENTS ISSUED (Attachments: # <u>1</u> Consent Form, # <u>2</u> Order re Page Limits, # <u>3</u> VDRP Form) (Marciel, M) (Entered: 02/22/2012)
02/28/2012	<u>6</u>	SUMMONS RETURNED EXECUTED: Linda Katehi served on 2/24/2012, answer due 3/16/2012. (Merin, Mark) (Entered: 02/28/2012)
02/28/2012	<u>7</u>	SUMMONS RETURNED EXECUTED: Ralph J. Hexter served on 2/24/2012, answer due 3/16/2012. (Merin, Mark) (Entered: 02/28/2012)
02/28/2012	<u>8</u>	SUMMONS RETURNED EXECUTED: Fred Wood served on 2/24/2012, answer due 3/16/2012. (Merin, Mark) (Entered: 02/28/2012)
02/28/2012	<u>9</u>	SUMMONS RETURNED EXECUTED: John Meyer served on 2/24/2012, answer due 3/16/2012. (Merin, Mark) (Entered: 02/28/2012)
03/14/2012	<u>10</u>	STIPULATION and PROPOSED ORDER for EXTENSION OF TIME TO RESPOND TO THE COMPLAINT AND OTHER DATES by Ralph J. Hexter, Linda

		Katehi, John Meyer, Fred Wood. Attorney Sharp, J. Daniel added. (Sharp, J.) (Entered: 03/14/2012)
03/14/2012	<u>11</u>	[DISREGARD – See <u>12</u>] CERTIFICATE of SERVICE by Ralph J. Hexter, Linda Katehi, John Meyer, Fred Wood re <u>10</u> Stipulation and Proposed Order. (Sharp, J.) Modified docket text on 3/15/2012 (Waggoner, D). (Entered: 03/14/2012)
03/14/2012	<u>12</u>	CERTIFICATE of SERVICE by Ralph J. Hexter, Linda Katehi, John Meyer, Fred Wood re <u>10</u> Stipulation and Proposed Order. (Sharp, J.) (Entered: 03/14/2012)
03/15/2012	<u>13</u>	STIPULATION and ORDER signed by Judge John A. Mendez on 3/14/12 ORDERING that the time period for Defendants to answer or otherwise to respond to the complaint is enlarged by a period of up to 90 days. This stipulation may be extended by order of the Court upon the further stipulation of the parties hereto, subject to such terms and conditions as the Court may impose.(Mena–Sanchez, L) (Entered: 03/15/2012)
03/19/2012	<u>14</u>	SUMMONS RETURNED EXECUTED: John Pike served on 3/12/2012, answer due 4/2/2012. (Merin, Mark) (Entered: 03/19/2012)
04/11/2012	<u>15</u>	SUMMONS RETURNED EXECUTED: Annette Spicuzza served on 4/10/2012, answer due 5/1/2012. (Merin, Mark) (Entered: 04/11/2012)
05/09/2012	<u>16</u>	ASSOCIATION of ATTORNEY: Added attorney Nancy Joan Sheehan for Ralph J. Hexter,Nancy Joan Sheehan for Linda Katehi,Nancy Joan Sheehan for John Meyer,Nancy Joan Sheehan for Fred Wood. (Sheehan, Nancy) (Entered: 05/09/2012)
05/09/2012	<u>17</u>	ASSOCIATION of ATTORNEY: Added attorney Katherine L.M. Mola for Ralph J. Hexter,Katherine L.M. Mola for Linda Katehi,Katherine L.M. Mola for John Meyer,Katherine L.M. Mola for Fred Wood. (Mola, Katherine) (Entered: 05/09/2012)
05/09/2012	<u>18</u>	ASSOCIATION of ATTORNEY: Added attorney Terence John Cassidy for Ralph J. Hexter,Terence John Cassidy for Linda Katehi,Terence John Cassidy for John Meyer,Terence John Cassidy for Fred Wood. (Cassidy, Terence) (Entered: 05/09/2012)
05/09/2012	<u>19</u>	NOTICE of APPEARANCE by Jason H. Jasmine on behalf of Annette Spicuzza. Attorney Jasmine, Jason H. added. (Jasmine, Jason) (Entered: 05/09/2012)
05/15/2012	<u>20</u>	JOINT STATUS REPORT by Enosh Baker, David Buscho, Sarena Grossjan–Navarro, Deanna Johnson, Sophia Kamran, Elizabeth Lara, Ian Lee, Soo Lee, Evan Loker, Thomas Matzat, Darren Newell, Charles Parker, William Roberts, Fatima Sbeih, Evka Whaley–Mayda, Kase Wheatley, Edward Wildanger, Noah Wiley, Jordan Wilhelm. (Merin, Mark) (Entered: 05/15/2012)
05/16/2012	<u>21</u>	ASSOCIATION of ATTORNEY: Added attorney Russell Marc Perry for John Pike. (Perry, Russell) (Entered: 05/16/2012)
05/16/2012	<u>22</u>	ASSOCIATION of ATTORNEY: Added attorney Michael Andrew McGill for John Pike. (Perry, Russell) (Entered: 05/16/2012)
05/16/2012	<u>23</u>	ASSOCIATION of ATTORNEY: Added attorney John H. Bakhit for John Pike. (Perry, Russell) (Entered: 05/16/2012)
05/16/2012	<u>24</u>	ASSOCIATION of ATTORNEY: Added attorney Christopher Lee Gaspard for John Pike. (Perry, Russell) (Entered: 05/16/2012)
05/16/2012	<u>25</u>	NOTICE of APPEARANCE by Michael Temple Risher on behalf of all plaintiffs. Attorney Risher, Michael Temple added. (Risher, Michael) Modified on 6/15/2012 (Kastilahn, A). (Entered: 05/16/2012)
05/16/2012	<u>26</u>	ASSOCIATION of ATTORNEY: Added attorney Linda Lye for all plaintiffs. (Lye, Linda) Modified on 6/15/2012 (Kastilahn, A). (Entered: 05/16/2012)
05/21/2012	<u>27</u>	NOTICE of Association of Counsel by Annette Spicuzza. Attorney Cockrell, Lina Balciunas added. (Cockrell, Lina) Modified on 5/23/2012 (Marciel, M) (Entered: 05/21/2012)

06/11/2012	<u>28</u>	STIPULATED JOINT PROPOSED PROTECTIVE ORDER by Ralph J. Hexter, Linda Katehi, John Meyer, Fred Wood. (Sharp, J.) (Entered: 06/11/2012)
06/12/2012	<u>29</u>	STIPULATED JOINT PROTECTIVE ORDER signed by Judge John A. Mendez on 6/11/12. (Kaminski, H) (Entered: 06/12/2012)
06/13/2012	<u>30</u>	STIPULATION and PROPOSED ORDER for Further Extension to Respond to Complaint by Ralph J. Hexter, Linda Katehi, John Meyer, Fred Wood. (Sheehan, Nancy) (Entered: 06/13/2012)
06/14/2012	<u>31</u>	STIPULATION and ORDER signed by Judge John A. Mendez on 6/13/2012 ORDERING that the time period for Defendants to answer or otherwise respond to the Complaint is further ENLARGED until 9/12/2012. No later than seven court days after completion of the final session of the mediation, the parties will submit a joint status report apprising the Court of their progress, including whether or not an agreement on resolution has been reached. The foregoing extension of time and all other terms of this stipulation may be revoked upon ten days notice by any of the parties. Such notice of revocation shall be filed with the Court and served on all parties as provided by the Federal Rules of Civil Procedure. This stipulation may be further extended by order of the Court upon further stipulation of the parties, subject to any terms and conditions as the Court may impose. (Zignago, K.) (Entered: 06/14/2012)
07/20/2012	<u>32</u>	FIRST AMENDED COMPLAINT against All Defendants by Noah Wiley, Edward Wildanger, Elizabeth Lara, Darren Newell, Deanna Johnson, Evan Loker, Enosh Baker, Charles Parker, Ian Lee, Evka Whaley-Mayda, William Roberts, Fatima Sbeih, David Buscho, Sophia Kamran, Soo Lee, Jordan Wilhelm, Thomas Matzat, Kase Wheatley, Sarena Grossjan-Navarro, Alyson Cook, Adam Fetterman.(Merin, Mark) Modified on 7/23/2012 (Manzer, C). (Entered: 07/20/2012)
07/23/2012	<u>33</u>	SUMMONS ISSUED as to *Alexander Lee, Barry Swartwood* with answer to complaint due within *21* days. Attorney *Mark E. Merin* *1010 F Street* *Suite 300* *Sacramento, Ca 95814*. (Manzer, C) (Entered: 07/23/2012)
08/23/2012	34	MINUTE ORDER: GOOD CAUSE APPEARING, the parties joint status report shall be filed on or before August 30, 2012. (TEXT ENTRY ONLY) (Vine, H) (Entered: 08/23/2012)
08/27/2012	<u>35</u>	JOINT STATUS REPORT by Enosh Baker, David Buscho, Alyson Cook, Adam Fetterman, Sarena Grossjan-Navarro, Deanna Johnson, Sophia Kamran, Elizabeth Lara, Ian Lee, Soo Lee, Evan Loker, Thomas Matzat, Darren Newell, Charles Parker, William Roberts, Fatima Sbeih, Evka Whaley-Mayda, Kase Wheatley, Edward Wildanger, Noah Wiley, Jordan Wilhelm. (Merin, Mark) (Entered: 08/27/2012)
08/27/2012	36	MINUTE ORDER: GOOD CAUSE APPEARING, the parties joint status report shall be filed on or before November 30, 2012. (TEXT ENTRY ONLY) (Vine, H) (Entered: 08/27/2012)
08/27/2012	<u>37</u>	NOTICE OF ASSOCIATION OF COUNSEL by Alexander Lee. Adding attorney Russell M. Perry. Attorney McGill, Michael Andrew added. (McGill, Michael) Modified on 8/28/2012 (Benson, A.). (Entered: 08/27/2012)
08/27/2012	<u>38</u>	NOTICE OF ASSOCIATION OF COUNSEL by Barry Swartwood. Adding attorney Russell M. Perry. Attorney McGill, Michael Andrew added. (McGill, Michael) Modified on 8/28/2012 (Benson, A.). (Entered: 08/27/2012)
09/26/2012	<u>39</u>	STIPULATION and PROPOSED ORDER for Filing of Second Amended Complaint by Enosh Baker, David Buscho, Alyson Cook, Adam Fetterman, Sarena Grossjan-Navarro, Deanna Johnson, Sophia Kamran, Elizabeth Lara, Ian Lee, Soo Lee, Evan Loker, Thomas Matzat, Darren Newell, Charles Parker, William Roberts, Fatima Sbeih, Evka Whaley-Mayda, Kase Wheatley, Edward Wildanger, Noah Wiley, Jordan Wilhelm. (Attachments: # <u>1</u> Exhibit A)(Merin, Mark) (Entered: 09/26/2012)
09/26/2012	<u>40</u>	APPLICATION for <i>Preliminary Approval of Settlement</i> by Enosh Baker, David Buscho, Alyson Cook, Adam Fetterman, Sarena Grossjan-Navarro, Deanna Johnson, Sophia Kamran, Elizabeth Lara, Ian Lee, Soo Lee, Evan Loker, Thomas Matzat, Darren Newell, Charles Parker, William Roberts, Fatima Sbeih, Evka Whaley-Mayda, Kase Wheatley, Edward Wildanger, Noah Wiley, Jordan Wilhelm. (Attachments: # <u>1</u> Exhibit Stipulation for Settlement, # <u>2</u> Exhibit A to Stipulation (Claim Form), # <u>3</u>

		Exhibit B to Stipulation (Notice), # <u>4</u> Exhibit C to Stipulation (Publication Notice), # <u>5</u> Exhibit D to Stipulation ([Proposed] Final Order & Judgment), # <u>6</u> Exhibit E to Stipulation ([Proposed] Order Granting Preliminary Approval))(Merin, Mark) (Entered: 09/26/2012)
09/27/2012	<u>41</u>	NOTICE OF ERRATA by all plaintiffs to <u>39</u> Stipulation and Proposed Order,. (Merin, Mark) Modified on 9/28/2012 (Matson, R). (Entered: 09/27/2012)
09/27/2012	<u>42</u>	NOTICE OF ERRATA by all plaintiffs re <u>40</u> Application. (Merin, Mark) Modified on 9/28/2012 (Matson, R). (Entered: 09/27/2012)
09/27/2012	<u>43</u>	STIPULATION and ORDER <u>39</u> signed by Judge John A. Mendez on 9/27/12 allowing filing of Second Amended Complaint.(Matson, R) (Entered: 09/27/2012)
09/27/2012	<u>44</u>	SECOND AMENDED COMPLAINT against All Defendants (Matson, R) (Entered: 09/27/2012)
09/27/2012	<u>45</u>	ORDER signed by Judge John A. Mendez on 9/27/12 GRANTING <u>40</u> Application for an Order granting preliminary approval of settlement, certifying the settlement class, approving class notice and scheduling final approval hearing. Final Approval hearing set for 1/9/2013 at 09:30 AM in Courtroom 6 (JAM) before Judge John A. Mendez. (Matson, R) (Entered: 09/27/2012)
09/28/2012	<u>46</u>	MINUTE ORDER: The Courts order of September 27, 2012 (#45 on the docket) is modified at paragraphs 8 and 9 to change the November 12, 2012 filing date to November 13, 2012. (TEXT ENTRY ONLY) (Vine, H) (Entered: 09/28/2012)
10/02/2012	<u>47</u>	PROPOSED ORDER re Granting Preliminary Approval of Settlement by Ralph J. Hexter, Linda Katehi, John Meyer, Fred Wood. (Sheehan, Nancy) (Entered: 10/02/2012)
10/04/2012	<u>48</u>	SUPPLEMENTAL ORDER GRANTING preliminary approval of settlement, certifying the settlement class, approving class notice and scheduling final approval hearing signed by Judge John A. Mendez on 10/3/12: Final Approval Hearing set for 1/9/2013 at 09:30 AM in Courtroom 6 (JAM) before Judge John A. Mendez. (Kaminski, H) (Entered: 10/04/2012)
11/20/2012	<u>49</u>	ASSOCIATION of ATTORNEY: (DeMartini, Lauren) (Entered: 11/20/2012)
12/21/2012	<u>50</u>	STIPULATION and PROPOSED ORDER for Final Order and Judgment by Ralph J. Hexter, Linda Katehi, John Meyer, Fred Wood. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Proposed Order)(Sheehan, Nancy) (Entered: 12/21/2012)
12/21/2012	<u>51</u>	MOTION for ATTORNEY FEES by Enosh Baker, David Buscho, Alyson Cook, Adam Fetterman, Sarena Grossjan-Navarro, Deanna Johnson, Sophia Kamran, Elizabeth Lara, Ian Lee, Soo Lee, Evan Loker, Thomas Matzat, Darren Newell, Charles Parker, William Roberts, Fatima Sbeih, Evka Whaley-Mayda, Kase Wheatley, Edward Wildanger, Noah Wiley, Jordan Wilhelm. Motion Hearing set for 1/9/2013 at 09:30 AM in Courtroom 6 (JAM) before Judge John A. Mendez. (Attachments: # <u>1</u> Declaration of Mark E. Merin, # <u>2</u> Exhibit A to Merin Declaration, # <u>3</u> Exhibit B to Merin Declaration, # <u>4</u> Declaration of Alan Schlosser, # <u>5</u> Exhibit A to Schlosser Declaration, # <u>6</u> Exhibit B to Schlosser Declaration, # <u>7</u> Exhibit C to Schlosser Declaration, # <u>8</u> Exhibit D to Schlosser Declaration, # <u>9</u> Exhibit E to Schlosser Declaration, # <u>10</u> Exhibit F to Schlosser Declaration, # <u>11</u> Declaration of Meredith Wallis, # <u>12</u> Exhibit A to Wallis Declaration)(Merin, Mark) (Entered: 12/21/2012)
12/27/2012	<u>52</u>	AMENDED DOCUMENT Re: Motion for Attorney Fees. re <u>51</u> filing of omitted signature page by Plaintiffs. (Risher, Michael) Modified on 12/28/2012 (Reader, L). (Entered: 12/27/2012)
01/09/2013	<u>53</u>	MINUTES (Text Only) for proceedings held before Judge John A. Mendez: MOTION HEARING held on 1/9/2013 ; Motions terminated: <u>51</u> MOTION for ATTORNEY FEES filed by Fatima Sbeih, William Roberts, Adam Fetterman, Thomas Matzat, Darren Newell, Ian Lee, Edward Wildanger, Sarena Grossjan-Navarro, Kase Wheatley, Evan Loker, Alyson Cook, Enosh Baker, Elizabeth Lara, Soo Lee, Charles Parker, Deanna Johnson, David Buscho, Jordan Wilhelm, Sophia Kamran, Evka Whaley-Mayda, Noah Wiley ; granting <u>51</u> Motion for Attorney Fees and Final

		approval of settlement. Court signed order. Plaintiffs Counsel M. Merin; M. Risher; L. DeMartini present. Defendants Counsel N. Sheehan present. Court Reporter: K. Swinhart. (Vine, H) (Entered: 01/09/2013)
01/09/2013	<u>54</u>	FINAL ORDER AND JUDGMENT signed by Judge John A. Mendez on 1/9/13. (Manzer, C) (Entered: 01/09/2013)
08/05/2014	<u>55</u>	TRANSCRIPT REQUEST by Enosh Baker, David Buscho, Alyson Cook, Adam Fetterman, Sarena Grossjan-Navarro, Deanna Johnson, Sophia Kamran, Elizabeth Lara, Ian Lee, Soo Lee, Evan Loker, Thomas Matzat, Darren Newell, Charles Parker, William Roberts, Fatima Sbeih, Evka Whaley-Mayda, Kase Wheatley, Edward Wildanger, Noah Wiley, Jordan Wilhelm for proceedings held on 01/09/2013 before Judge John A. Mendez, (Risher, Michael) (Entered: 08/05/2014)
08/08/2014	<u>56</u>	TRANSCRIPT of Motion Hearing held on January 9, 2013, before Judge John A. Mendez, filed by Court Reporter Kathy Swinhart, Phone number 916-446-1347 E-mail kswinhartcsr@gmail.com. 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 also be obtained through PACER. Any Notice of Intent to Request Redaction must be filed within 5 court days. Redaction Request due 8/29/2014. Redacted Transcript Deadline set for 9/8/2014. Release of Transcript Restriction set for 11/6/2014. (Swinhart, K) (Entered: 08/08/2014)