UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

DERRIL HEDRICK, DALE ROBINSON, KATHY LINDSEY, MARTIN C. CANADA, DARRY TYRONE PARKER, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

JAMES GRANT, as Sheriff of Yuba County; Lieutenant FRED J. ASBY, as Yuba County Jailer; JAMES PHARRIS, ROY LANDERMAN, DOUG WALTZ, HAROLD J. "SAM" SPERBEK, JAMES MARTIN, as members of the YUBA COUNTY BOARD OF SUPERVISORS,

Defendants.

Case No. 2:76-CV-00162-EFB

STIPULATION AND [~~PROPOSED~~] ORDER RE: FURTHER EXTENSION OF AMENDED CONSENT DECREE

Judge: Edmund F. Brennan

Trial Date: None Set

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

On January 30, 2019, United States Magistrate Judge Edmund F. Brennan granted final approval to an Amended Consent Decree ("ACD") covering certain operations of the Yuba County Jail (the "Jail"). Since then, Rosen, Bien, Galvan & Grunfeld and the U.C. Davis School of Law King Hall Civil Rights Clinic ("Class Counsel") have been monitoring compliance with the ACD on behalf of the Plaintiff class, which includes review of documents and information the County of Yuba provides pursuant to the terms of the ACD. The ACD was set to expire January 31, 2023. In anticipation of that, Class Counsel served discovery requests. Defendants James Grant, et al. (the "County of Yuba") stated that they would object to these discovery requests.

Thereafter, the County of Yuba and Class Counsel agreed that the current ACD should be extended until May 31, 2023, or until approval by the Court of a stipulated Second Amended Consent Decree ("SACD"), whichever occurs first. The Court approved the stipulation by order dated September 26, 2022.

Since that time, the parties have negotiated in good faith to extend the portions of the ACD that address mental health care and related issues at the Jail. The parties reached agreement on a SACD and filed a joint motion for preliminary approval of the SACD contemporaneous with the filing of this Stipulation.

In order to give the parties time to pursue preliminary and final approval and allow time for class member review and potential objections, the parties enter into the following stipulation:

NOW THEREFORE, IT IS HERBY STIPULATED AND AGREED by and between the parties to this action, through their undersigned counsel, as follows:

1. If the Court does not grant or deny final approval to the SACD prior to May 31, 2023, the ACD shall remain in effect until the Court grants or denies final approval to the SACD.

2. If the Court denies final approval of the SACD, the ACD shall remain in effect until May 31, 2023 or for an additional one-hundred-and-twenty (120) days from the date the Court denies approval, whichever date is later. Any motion to enforce or to

extend the ACD shall be filed prior to May 31, 2023 or the additional one-hundred-and-twenty (120) days from the time the Court denies approval of the SACD, whichever is later.

3. All discovery shall continue to be stayed until the Court grants or denies final approval of the SACD. If the Court denies final approval of the SACD, Plaintiffs may pursue discovery without the need to re-serve their PMK deposition notices. The County of Yuba preserves all rights to object to that discovery.

IT IS SO STIPULATED.

DATED: February 22, 2023

ROSEN BIEN GALVAN & GRUNFELD LLP

By: */s/ Gay Crosthwait Grunfeld*
Gay Crosthwait Grunfeld

Attorneys for Plaintiffs

DATED: February 22, 2023

PORTER SCOTT, P.C.

By: */s/ Carl L. Fessenden (Authorized on 2/22/23)*
Carl Fessenden

Attorneys for Defendants

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[~~PROPOSED~~] ORDER

Pursuant to the foregoing stipulation of the parties, IT IS SO ORDERED:

1. All discovery shall continue to be stayed until the Court grants or denies final approval of the SACD. If the Court denies final approval of the SACD, Plaintiffs may pursue discovery without the need to re-serve their PMK deposition notices. The County of Yuba preserves all rights to object to that discovery.

2. If the Court does not grant or deny final approval of the SACD prior to May 31, 2023, the ACD shall remain in effect until the Court grants or denies final approval to the SACD.

3. If the Court denies final approval of the SACD, the ACD shall remain in effect until May 31, 2023 or for an additional one-hundred-and-twenty (120) days from the date the Court denies approval, whichever date is later. Any motion to enforce or to extend the ACD shall be filed prior to May 31, 2023 or the additional one-hundred-and-twenty (120) days from the time the Court denies approval of the SACD, whichever is later.

Dated: February 27, 2023.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE