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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Victor Antonio Parsons, et al.,

10 Plaintiffs,

11 v.

12 David Shinn,

13 Defendant.
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No. CV-12-00601-PHX-ROS

ORDER

15 The Court ordered the parties to submit proposed “experts to perform a system-
16 wide staffing analysis and a systemic analysis of the adequacy of the health care provided
17 to class members.” (Doc. 3861). Plaintiffs proposed Dr. Marc Stern or Dr. Homer
18 Venters. (Doc. 3871). Defendants proposed NCCHC Resources, Inc. (Doc. 3870).

19 The parties will be required to confer and attempt to reach an agreement regarding
20 which expert should be appointed. While conferring, the parties should keep in mind the
21 urgency of Defendants’ noncompliance and the possibility such noncompliance has
22 resulted in the systemic provision of healthcare below the constitutional minimum. For
23 that reason, the length of time identified in and required by Defendants’ proposal is
24 longer than the Court contemplated. (Doc. 3870-1 at 18). Ideally, the appointed expert
25 would be able to report back to the Court in no more than three months such that any
26 necessary changes could be implemented as soon as possible.

27 Further, if the parties cannot agree on the appointment of Dr. Stern, and he is not
28 ultimately appointed, the Court is likely to allow the new expert to speak with Dr. Stern

1 and take advantage of Dr. Stern's background knowledge and experience in this case to
2 maximize efficiency during this inquiry.

3 Finally, given the time constraints and scope of inquiry, it may be appropriate to
4 appoint a multimember team. However, the fact that the "Team Lead" proposed by
5 Defendants recently retired from Corizon Health presents a significant obstacle to the
6 selection of NCCHC Resources.

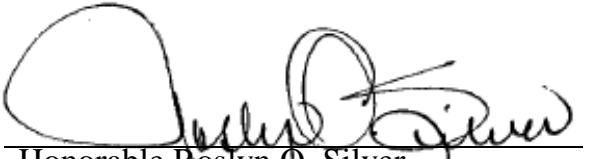
7 If the parties are unable to reach an agreement, they shall file a brief statement of
8 no more than two pages identifying their concerns with the opposing side's proposed
9 expert(s).

10 Accordingly,

11 **IT IS ORDERED** the parties shall confer and attempt to reach an agreement
12 regarding the appointment of an expert.

13 **IT IS FURTHER ORDERED** no later than **April 2, 2021**, the parties shall either
14 file a joint statement identifying the agreed-upon expert or separate statements of no
15 longer than two pages identifying their concerns with the opposing side's proposed
16 expert(s).

17 Dated this 19th day of March, 2021.

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21 Honorable Roslyn O. Silver
22 Senior United States District Judge
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