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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	DERRIL HEDRICK, et al.,	No. 2:76-cv-00162-EFB (PC)
12	Plaintiffs,	
13	v.	<u>ORDER</u>
14	JAMES GRANT, et al.,	
15	Defendants.	
16		
17	The parties have filed a joint motion for approval of the Second Amended Consent Decree	
18	("SACD"). ECF No. 277. By order dated March 9, 2023, the court directed defendants to	
19	publish notice of the SACD to class members by publishing the notice on the county's website,	
20	placing it in all Jail facilities (including particular locations), making copies of the SACD	
21	available in the Jail law library, and making it av	ailable to class members upon request. ECF No.
22	274. Defendants submitted an affidavit attesting	to their compliance with that order. ECF No.
23	276.	
24	On May 5, 2023, plaintiffs' counsel filed	a request to allow a class member, Mary Abbot,
25	to appear remotely at the hearing scheduled for May 17, 2023 on final approval of the SACD.	
26	ECF No. 278. Appended to the request are Ms. Abbott's objections to the SACD, which she	
27	attempted to file but which were returned to her	by the Clerk. <i>Id.</i> at 7-8. She asks that the court
28	extend the time for class members to comment o	n the SACD because: (1) the Jail did not make

1	the SACD available in the law library for inmate review, (2) some of the notices that were posted		
2	in the Jail pertained to the amended consent decree ("ACD"), not the SACD, and noted a		
3	comment due date of December 30, 2018, and (3) the notice is misleading because it gives short		
4	shrift to the changes from the ACD to the SACD, notably the omission of many of the ACD's		
5	provisions, including requirements that the Jail take steps to enhance inmate recreation		
6	opportunities, increase medical staff, and accommodate disabled inmates. She asks that the		
7	comment period be extended so that these issues can be remedied, and also asks the Jail to make		
8	the ACD available in the law library along with the SACD so class members can compare the two		
9	documents. Ms. Abbott also objects to the SACD substantively, arguing that it should keep all		
10	the provisions of the ACD that have been omitted through agreement by the parties' lawyers.		
11	According to plaintiffs' counsel, defendants do not agree that Abbott should be allowed to		
12	appear at the hearing, but they have no objection to the court considering her letter. The court		
13	will consider Ms. Abbott's objections as stated in her letter. However, it does not appear to the		
14	court that oral testimony or argument from Ms. Abbott would materially assist the court in		
15	resolving the objection. If, at the time of the hearing, the court has any questions for Ms. Abbott		
16	they will be addressed then. Accordingly, plaintiffs' request that Abbott be permitted to attend		
17	the hearing is granted. She may do so by telephone using the teleconference line provided below,		
18	or plaintiffs' counsel may make other arrangements with the Jail to secure her attendance.		
19	Accordingly, it is hereby ORDERED that:		
20	1. Plaintiffs' request that class member Mary Abbott be permitted to appear at the		
21	hearing scheduled for May 17, 2023 regarding final approval of the SACD (ECF No.		
22	278) is GRANTED in part such that Ms. Abbott may attend the hearing. Ms. Abbot		
23	may listen in on the hearing using the teleconference line (888) 557-8511, access code		
24	1273468#, or plaintiffs' counsel can seek different arrangements with the Jail to secure		
25	her attendance.		
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1	2. Plaintiffs' request that Mary Abbott be permitted to voice her objections orally at the	
2	hearing (ECF No. 278) is DENIED without prejudice.	
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4	Dated: May 10, 2023.	
5	UNITED STATES MAGISTRATE JUDGE	
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