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8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA
 10 SACRAMENTO DIVISION

11 JEREMY JONES,
 12 Plaintiff,
 13 vs.
 14 BALLESTEROS, et al.,
 15 Defendants.

Case No. 2:10-cv-2661-KJM-EFB P

**STIPULATION AND ORDER
 AUTHENTICATING EXHIBITS**

Action Filed: September 30, 2010
 Trial Date: September 12, 2016

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1 Plaintiff Jeremy Jones and Defendants Ballesteros and Choplin, by and through their
2 respective counsel of record (collectively, the “Parties”) hereby stipulate that the following
3 documents are authentic under the Federal Rules of Evidence and the Federal Rules of Civil
4 Procedure for purposes of trial in the above-captioned matter:

5 **I. PLAINTIFF’S EXHIBITS AS IDENTIFIED IN THE COURT’S NOVEMBER 18, 2015**
6 **PRETRIAL ORDER:**

- 7 1. First Amended Complaint in this action, file-stamped June 25, 2012;
- 8 2. First page of a screening order in Case No. 1:11-cv-01762-MJS (PC);
- 9 3. Physician’s order dated January 26, 2006;
- 10 4. X-ray report dated February 6, 2007;
- 11 5. Informed consent forms regarding lumbar steroid injections, signed by plaintiff on September
12 20, 2007, October 4, 2007, and October 18, 2007;
- 13 6. Physician’s orders dated November 4, 2007 and February 24, 2008;
- 14 7. MRI report dated August 7, 2008;
- 15 8. Comprehensive accommodation chrono dated July 8, 2008;
- 16 9. Visit reports from Queen of the Valley Medical Center dated September 8, 2008, September
17 22, 2008, and November 26, 2008;
- 18 10. Comprehensive accommodation chrono dated November 14, 2008;
- 19 11. MRI report dated December 29, 2008;
- 20 12. Neurosurgical consult report dated January 15, 2009;
- 21 13. Outpatient interdisciplinary progress notes from Dr. L. Dileo dated January 21, 2009 and
22 February 17, 2009;
- 23 14. Rehabilitation Management Systems, Inc. exam report dated February 26, 2009;
- 24 15. Comprehensive accommodation chrono dated March 18, 2009;
- 25 16. Disability placement program verification form dated March 24, 2009;
- 26 17. Prescription record dated May 8, 2009;
- 27 18. Physician’s progress notes, podiatry clinic at Kern Valley State Prison (“KVSP”), dated July
28 10, 2009;

- 1 19. Physician's orders, orthotic clinic at KVSP, dated February 16, 2010;
- 2 20. Physician's order dated January 29, 2010;
- 3 21. Inmate parolee, KVSP log no. 34-09-13006;
- 4 22. Interdisciplinary progress notes, signed by CK Chen, M.D., dated September 24, 2009;
- 5 23. Disability placement program verification form dated September 24, 2009;
- 6 24. Comprehensive accommodation chrono dated December 2, 2009;
- 7 25. Disability placement program verification form dated December 15, 2009;
- 8 26. Comprehensive accommodation chrono dated December 24, 2008;
- 9 27. Disability placement program verification form dated March 15, 2010;
- 10 28. Rules violation report dated January 28, 2010 through February 12, 2010;
- 11 29. Discharge summary dated March 31, 2011;
- 12 30. MRI report for lumbar spine dated March 29, 2011, page 2 of 2;
- 13 31. Telemedicine neurosurgical progress report dated August 19, 2011;
- 14 32. Comprehensive accommodation chrono dated September 6, 2011;
- 15 33. Disability program placement verification form dated September 6, 2011;
- 16 34. Disability program placement verification form dated April 2, 2012;
- 17 35. Comprehensive accommodation chrono dated April 2, 2012;
- 18 36. Telemedicine progress report dated April 27, 2012;
- 19 37. Comprehensive accommodation chrono dated May 14, 2012;
- 20 38. Disability program placement verification form dated May 14, 2012;
- 21 39. Inmate office visit report, Bakersfield Neuroscience & Spine Institute, dated June 7, 2012;
- 22 40. Comprehensive accommodation chrono dated September 5, 2012;
- 23 41. Disability program placement verification form dated November 6, 2012;
- 24 42. Comprehensive accommodation chrono dated November 6, 2012;
- 25 43. DPP Disability/Accommodation Summary as of December 6, 2013.

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1 **II. PLAINTIFF’S PROPOSED EXHIBITS IDENTIFIED IN PLAINTIFF’S MOTION TO**
2 **IDENTIFY ADDITIONAL WITNESS AND EXHIBITS DATED JULY 27, 2016:**

3 44. Disability program placement verification form dated January 9, 2008 (obtained from
4 Plaintiff’s medical records).

5 45. Second Level Appeal Response Log No.: SOL 08-03533 (obtained from Plaintiff’s prisoner
6 file).

7 46. Armstrong v. Davis Court Ordered Remedial Plan Amended January 3, 2001 (obtained at
8 [http://www.cdcr.ca.gov/BOPH/docs/ADA-](http://www.cdcr.ca.gov/BOPH/docs/ADA-Resources/ARMSTRONG%20I%20Remedial%20Plan.pdf)
9 [Resources/ARMSTRONG%20I%20Remedial%20Plan.pdf](http://www.cdcr.ca.gov/BOPH/docs/ADA-Resources/ARMSTRONG%20I%20Remedial%20Plan.pdf))

10 **III. DEFENDANTS’ EXHIBITS AS IDENTIFIED IN THE COURT’S NOVEMBER 18,**
11 **2015 PRETRIAL ORDER:**

12 A. Photographs of Common Area around and between Cell 130 and shower 3 in Building 10,
13 Facility B at CSP-Solano;

14 B. Photographs of entry/exit doors and surrounding area in Building 10, Facility B at California
15 State Prison-Solano;

16 C. Photographs of outer area beyond entry/exit doors of Building 10, Facility B at California
17 State Prison-Solano;

18 D. Photographs of state-issued canvas prison shoes, used at California State Prison-Solano;

19 E. Photographs of state-issued shower shoes, type 1 used at California State Prison-Solano;

20 F. Photographs of state-issued shower shoes, type 2 used at California State Prison-Solano;

21 G. Photographs of state-issue stretcher used at California State Prison-Solano;

22 H. Photographs of state-issue medical transport cart used at California State Prison-Solano;

23 I. Photographs of vantage point from Sergeant’s Office in Building 10, Facility B at California
24 State Prison-Solano;

25 J. Schematic of California State Prison-Solano Facilities;

26 K. Expert Report and Recommendation of Dr. B. Barnett, M.D., CDCR Chief Medical Officer,
27 California Correctional Health Care Services, Receiver’s Office of Legal Affairs;

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1 L. Plaintiff's Relevant Medical Records:

- 2 a. Interdisciplinary Progress Notes, dated July 22, 2008;
- 3 b. Interdisciplinary Progress Notes, dated July 29, 2008-August 1, 2008;
- 4 c. Interdisciplinary Progress Notes, dated August 2, 2008-September 2, 2008;
- 5 d. Interdisciplinary Progress Notes, dated August 4, 2008;
- 6 e. Interdisciplinary Progress Notes, dated August 6, 2008-August 8, 2008;
- 7 f. Interdisciplinary Progress Notes, dated August 8, 2008;
- 8 g. Interdisciplinary Progress Notes, dated August 9, 2008;
- 9 h. Interdisciplinary Progress Notes, dated August 9, 2008-August 13, 2008;
- 10 i. Interdisciplinary Progress Notes, dated August 9, 2008, 18:00;
- 11 j. Interdisciplinary Progress Notes, dated August 13, 2008;
- 12 k. Examination Findings Form: L-spine X-ray, dated September 2-3, 2008, Job No. 61547;
- 13 l. Follow Up Visit, dated September 22, 2008;
- 14 m. Interdisciplinary Progress Notes, dated November 12, 2008;
- 15 n. Interdisciplinary Progress Notes, dated November 13, 2008;
- 16 o. Nurse note: methadone & Neurontin;
- 17 p. Interdisciplinary Progress Notes, dated November 17, 2008;
- 18 q. Interdisciplinary Progress Notes, dated November 24, 2008;
- 19 r. Kern Radiology Medical Group Notes, dated December 29, 2008;
- 20 s. Interdisciplinary Progress Notes, dated September 24, 2009, 11:00;
- 21 t. Interdisciplinary Progress Notes, dated September 24, 2009;
- 22 u. Kern Radiology Medical Group Notes, dated February 2, 2010;
- 23 v. Bakersfield Neuroscience & Spine Institute Notes, dated July 20, 2012;
- 24 w. Primary Care Provider Progress Note, dated October 10, 2012;
- 25 x. Bakersfield Neuroscience & Spine Institute Telemedicine Progress Report, dated
- 26 November 16, 2013;
- 27 y. Physical Medicine and Rehabilitation Telemedicine Report, dated April 3, 2014;
- 28 z. Primary Care Provider Progress Note, dated May 2, 2014;

- 1 aa. Interdisciplinary Progress Notes 7/27/05;
2 bb. Outpatient Progress Notes 2/18/06;
3 cc. Outpatient Progress Notes 8/8/07;
4 dd. Outpatient Progress Notes 8/9/07;
5 ee. Physician's Progress Notes 9/2/07;
6 ff. Physician's Progress Notes 10/18/07;
7 gg. Interdisciplinary Progress Notes 10/18/07;
8 hh. Interdisciplinary Progress Notes 11/6/07;
9 ii. Physician's Orders 8/4/08;
10 jj. Chronological Interdisciplinary Progress Notes 8/4/08-8/10/08;
11 kk. X-ray of lower spine 8/11/08;
12 ll. Interdisciplinary Progress Notes 8/15/08;
13 mm. Chronological Interdisciplinary Progress Notes 8/23/08 to 8/24/08;
14 nn. Chronological Interdisciplinary Progress Notes 8/30/08-8/31/08;
15 oo. Interdisciplinary Progress Notes 11/10/08;
16 pp. Interdisciplinary Progress Notes 11/12/08 to 11/17/08;
17 qq. Interdisciplinary Progress Notes 11/24/08;
18 rr. Interdisciplinary Progress Notes 7/29/09;
19 ss. Interdisciplinary Progress Notes 11/13/09;
20 tt. Kern Valley Radiology Report 2/2/10;
21 uu. Interdisciplinary Progress Notes 3/15/10;
22 vv. Physician's Progress Notes 3/19/10;
23 ww. Interdisciplinary Progress Notes 3/19/10;
24 xx. Primary Care Provider Progress Notes 8/25/10;
25 yy. Interdisciplinary Progress Notes 10/1/2010;
26 zz. CDC 128-B Informational Chrono by H. Tate, M.D. 10/7/10;
27 aaa. CDCR 128-C3 Medical Classification Chrono 10/8/10;
28 bbb. Interdisciplinary Progress Notes 11/10/10;

- 1 ccc. Interdisciplinary Progress Notes 1/10/11;
2 ddd. CDC 128-B Informational Chrono by H. Tate, M.D. 1/1/0/11;
3 eee. Memorandum by Harold Tate, M.D. 1/13/11;
4 fff. Kern Valley Neurologic Consultation 2/15/11;
5 ggg. Bakersfield Neuroscience & Spine Institute Rpt. 7/20/12;
6 hhh. Primary Care Provider Progress Note 10/10/12;
7 iii. Physical Medicine and Rehabilitation Evaluation 4/3/14;
8 jjj. Primary Care Provider Progress Note 5/2/14.

9 The Parties do not concede that any or all portions of any of the documents listed as exhibits
10 are admissible or relevant for all purposes.

11 SO STIPULATED

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13 Dated: August 25, 2016

By: /s/ DAVID A. CARRASCO
DAVID A. CARRASCO
Deputy Attorney General
Attorney for Defendants
Ballesteros and Choplin

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17 K&L GATES LLP

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19 Dated: August 25, 2016

By: /s/ PETER E. SOSKIN
PETER E. SOSKIN
EDWARD SANGSTER
Attorney for Plaintiff
JEREMY JONES

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23 **ORDER**

24 PURSUANT TO THE STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO
25 ORDERED.

26 Dated: August 25, 2016

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UNITED STATES DISTRICT JUDGE