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 SUNRISE RECREATION & PARK DISTRICT

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 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

11 CONNIE ARNOLD,
 12 Plaintiff,
 13 vs.
 14 COUNTY OF SACRAMENTO; SUNRISE
 RECREATION & PARK DISTRICT; and
 15 DOES 1 through 50, inclusive,
 16 Defendants.

Case No. 2:12-CV-01998-LKK-EFB
 DEFENDANT SUNRISE RECREATION &
 PARK DISTRICT'S STATUS REPORT
 (PRE-TRIAL SCHEDULING
 CONFERENCE)

Date: October 22, 2012
 Time: 11:00 a.m.
 Location: Courtroom 4 - Honorable
 Lawrence K. Karlton

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 18 **A. Parties/Counsel**

19 Defendant Sunrise Recreation & Park District is represented by Mark F. Hazelwood and Dirk
 20 Larsen of Low, Ball & Lynch.

21 **B. Summary of Facts**

22 Plaintiff Connie Arnold has brought the subject action alleging violation of the Americans with
 23 Disabilities Act (ADA) - Title II, as well as other federal and state claims. Ms. Arnold, who claims to
 24 be a person with a mobility disability and requires the use of the a wheelchair, claims to have been
 25 denied access at the Sylvan Oaks Public Library and Crosswoods Park in the City of Citrus Heights,
 26 within the County of Sacramento. Plaintiff claims that denial of access took place in September 2011,
 27 and that she has been deterred from returning to the park and library since that time.

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1 **C. Service of Process**

2 Defendant understands that all parties have been served.

3 **D. Joinder of Additional Party**

4 Defendant does not expect a joinder of additional parties.

5 **E. Limit of Pleadings**

6 Plaintiff has filed a first amended complaint. Defendant Sunrise Recreation & Park District is in
7 the process of filing an amended answer prior to the pre-trial scheduling conference.

8 **F. Statutory basis for jurisdiction and venue.**

9 Plaintiff contends that the court has jurisdiction over this action pursuant to 28 USC Section
10 1331, to hear and determine plaintiff's ADA and Section 504 claims of the Rehabilitation Act of
11 1973. Plaintiff further contends the court has supplemental jurisdiction pursuant to 28 USC Section
12 1367 to hear and determine plaintiff's state law claims, because they are related to plaintiff's federal
13 claims and arise out of a common nucleus of operative facts. Plaintiff alleges that venue is proper
14 pursuant to 28 USC Section 1391(b), because the real property which is the subject of this action
15 (Sylvan Oaks Public Library and Crosswoods Park) are located in the Eastern District.

16 **G. Anticipated Motions and the Scheduling Thereof**

17 Defendant Sunrise Recreation & Park District does not anticipate filing motions at this time.

18 **H. Anticipated Discovery**

19 Plaintiff's counsel and counsel for defendant Sunrise Recreation & Park District have meet and
20 conferred on the issue of discovery. The parties believe that a joint inspection of the Crosswoods Park
21 and Sylvan Oaks Public Library should initially go forward. It is anticipated that progress towards
22 resolution of the case can be made by way of the joint inspection. Other discovery should be deferred
23 until completion of the joint inspection, and settlement negotiations are conducted.

24 **I. Future Proceedings**

25 Defendant Sunrise Recreation & Park District is informed and believes that this is a limited
26 disabled access claim. As such, the parties should initially conduct the joint inspection and attempt to
27 resolve the case before further dates are set. Defendant requests that a further case management
28 conference be scheduled for early 2013.

