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Attorneys for the SACRAMENTO PUBLIC LIBRARY AUTHORITY

9 UNITED STATES DISTRICT COURT
 10 EASTERN DISTRICT OF CALIFORNIA

11 CONNIE ARNOLD

12 Plaintiff,

13 vs.

14 COUNTY OF SACRAMENTO, SUNRISE
 15 RECREATION & PARK DISTRICT,
 16 SACRAMENTO PUBLIC LIBRARY
 17 AUTHORITY

18 Defendants.

Case No.: 2:12-CV-01998-LKK-
EFB

19 **DEFENDANT SACRAMENTO
 20 PUBLIC LIBRARY
 21 AUTHORITY'S INITIAL
 22 STATUS REPORT**

23 Scheduling Conference: 12/10/12
 24 Time: 1:30 p.m.
 25 Location: Courtroom 4
 26 Before: Honorable Lawrence K. Karlton

27 **A. Parties/Counsel**

28 Defendant Sacramento Public Library Authority ("PLA") is represented by
 Kathleen T. Rogan, with the Sacramento City Attorney's Office.

B. Summary of Facts

Plaintiff Connie Arnold filed this action alleging violations of Title II of the
 Americans with Disabilities Act (ADA) and other corresponding state and federal claims.
 Ms. Arnold alleges that she has a mobility disability and is dependent on a wheelchair to
 move about. Plaintiff alleges that in September 2011, she attempted to use the services at the
 Sylvan Oaks Public Library and Crosswoods Park situated next to the library. Both the

1 library and park are located in the City of Citrus Heights in Sacramento County. Plaintiff
2 alleges that she has been deterred from using either the park or the library since that time.

3 **C. Service of Process**

4 The PLA believes that all parties have been served.

5 **D. Joinder of Additional Party**

6 The PLA does not expect to join any additional parties.

7 **E. Amendment of Pleadings**

8 Plaintiff filed a first amended complaint. The PLA will file an amended answer.
9

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

11 Plaintiff asserts that the court has jurisdiction to determine plaintiff's ADA and
12 Section 504 claims of the Rehabilitation Act of 1973 pursuant to 28 USC Section 1331.
13 Plaintiff also contends that the court may exercise supplemental jurisdiction pursuant to 28
14 USC Section 1367 and can determine plaintiff's state law claims since they are related to the
15 federal claims and arise out the same set of operative facts. Plaintiff claims that, because the
16 Sylvan Oaks library and the adjoining Crosswoods Park are located in the Eastern District,
17 that venue is proper pursuant to 28 USC Section 1391(b).
18

19 The PLA agrees that jurisdiction and venue are proper in the United States District
20 Court for the Eastern District of California.

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

22 The PLA does not currently plan to file any motions. During the joint meeting,
23 plaintiff indicated that she may file a summary judgment motion at a later date.
24

25 **H. Anticipated Discovery**

26 All counsel have met and conferred regarding the scheduling of discovery. The
27 parties agreed to attend a joint inspection of the Sylvan Oaks Public Library and the
28

1 Crosswoods Park on November 30, 2012, prior to commencing discovery. The parties
2 agreed to hold discovery in abeyance until April 9, 2013 to allow them time to work towards
3 resolving the case. The parties have also agreed on and propose the following dates:

4 Fact discovery cut off: October 9, 2013
5 Initial Expert Disclosures: December 9, 2013
6 Rebuttal Expert Disclosures: January 9, 2014
7 Expert Discovery Cut-off: March 10, 2014
8 Jury Trial: September 15, 2014

9
10 **I. Future Proceedings**

11 Plaintiff has waived any claim for damages and is seeking only injunctive relief (and,
12 of course, attorney's fees). The parties are hopeful that they may be able to resolve the case
13 informally. It may become necessary to use the court's Voluntary Dispute Resolution
14 Process or hold an early settlement conference to resolution to come to fruition.

15
16 **J. Special Procedures**

17 None.

18 **K. Demand for Jury Trial**

19 The Sacramento Public Library Authority timely demanded a jury trial.

20 **L. Estimate of Trial Time**

21 Approximately five to seven days.

22 **M. Modification of Standard Pre-Trial Procedures**

23 None anticipated at this time.

24 **N. Relation to Other Cases/s**

25 None.
26
27
28

1 **O. Voluntary Dispute Resolution Program**

2 Defendant Sacramento Public Library Authority is amenable to using the voluntary
3 dispute resolution program or to submitting the matter to an early settlement conference with
4 a magistrate judge.
5

6 **P. Other Issues**

7 None at this time.
8

9 DATED: November 21, 2012

SANDRA G. TALBOTT,
Interim City Attorney

10
11
12 By: _____



KATHLEEN T. ROGAN
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