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6 Attorneys for Defendant  
 7 SUNRISE RECREATION & PARK DISTRICT

8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

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

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

Date: April 29, 2013  
 Time: 10:00 a.m.  
 Location: Courtroom 4 - Honorable  
 Lawrence K. Karlton

17  
 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. Amendment of Pleadings**

6 Plaintiff has filed a first amended complaint. Defendant Sunrise Recreation & Park District has  
7 filed an amended answer.

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 met and  
20 conferred on the issue of discovery. The parties conducted a joint inspection of Crosswoods Park and  
21 Sylvan Oaks Public Library on January 11, 2013. Based on that inspection, plaintiff provided this  
22 defendant with a demand for injunctive relief on April 1, 2013. Defendant and its counsel are currently  
23 in the process of reviewing this demand. At this point, defendant believes that early resolution of this  
24 matter may be possible without the need for formal discovery. Accordingly, defendant respectfully  
25 requests the assistance of a magistrate judge for a settlement conference to take place before the parties  
26 engage in formal discovery.

27           **I. Future Proceedings**

28 Defendant Sunrise Recreation & Park District is informed and believes that this is a limited

1 disabled access claim. As such, following the January 11, 2013 joint inspection, the parties should  
2 attempt to resolve the case.

3 The parties have agreed to the following discovery and scheduling plan:

4 Initial Scheduling Conference: December 10, 2012

5 120 - Day Discovery Stay Until: April 9, 2013

6 Fact Discovery Cut-Off: October 9, 2013

7 Expert Disclosures: December 9, 2013

8 Rebuttal Expert Disclosures: January 9, 2014

9 Expert Discovery Cut-Off March 10, 2014

10 Last Day to File Dispositive Motions: May 12, 2014

11 Jury Trial: September 15, 2014

12 **J. Special Procedures**

13 None.

14 **K. Demand Jury Trial**

15 Defendant Sunrise Recreation & Park District has timely demanded a trial by jury.

16 **L. Estimate of Trial Time**

17 5-7 days.

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

19 None anticipated at this time.

20 **N. Relation to Other Case(s)**

21 None anticipated at this time.

22 **O. Voluntary Dispute Resolution Program**

23 Defendant Sunrise Recreation & Park District is amendable to using the voluntary dispute  
24 resolution program and/or submitting the matter to an early settlement conference, after the joint  
25 inspection, with a magistrate judge.

26 **P. Other Issues**

27 None at this time.

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1 Defendant Sunrise Recreation & Park District hereby requests that its counsel, which are located  
2 in San Francisco, be permitted to appear for the pre-trial scheduling conference by telephone.

3  
4 Dated: April 19, 2013

5 LOW, BALL & LYNCH

6  
7 By s/ Dirk D. Larsen  
8 MARK F. HAZELWOOD  
9 DIRK D. LARSEN  
Attorneys for Defendant  
10 SUNRISE RECREATION & PARK DISTRICT  
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