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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

Estate of JAMES JOSHUA MAYFIELD, by and through LISA BERG, as Conservator; JAMES ALLISON MAYFIELD, JR.; and TERRI MAYFIELD,

Plaintiffs,

vs.

IVAN OROZCO, in his individual capacity; SHERIFF SCOTT JONES, in his individual and official capacity; JAMES LEWIS, in his individual and official capacity; RICK PATTISON, in his individual and official capacity; COUNTY OF SACRAMENTO; UNIVERSITY OF CALIFORNIA DAVIS HEALTH SYSTEM; DR. GREGORY SOKOLOV, in his individual capacity; DR. ROBERT HALES, in his individual capacity; and Does 1-5,

Defendants.

CASE NO. 2:13-CV-02499-JAM-AC

ORDER ON COUNTY OF SACRAMENTO'S MOTION FOR SUMMARY JUDGMENT

The motion for Summary Judgment by Defendants County of Sacramento, Sheriff Scott Jones, James Lewis, and Rick Pattison, filed November 23, 2016, and having come for hearing March 8, 2017; the Court, having reviewed the motion, supporting documents, opposition by Plaintiffs, supplemental briefing, and oral arguments and for all the reasons stated during the hearing on March 8, 2017 and in the Court's minute order of March 17, 2017:

/ / /

IT IS HEREBY ORDERED that:

1. As to each claim against the moving Defendants, the motion for summary judgment is GRANTED, in part, and DENIED, in part, in accordance with the following:

2. The motion is DENIED as to the 1st claim (excessive force) as to Defendants Scott Jones and Defendant County of Sacramento.

3. The motion is GRANTED as to the 2nd claim (unreasonable search and seizure) as to Defendants Scott Jones and Defendant County of Sacramento.

4. The motion is GRANTED as to the 3rd claim (failure to provide medical care) as to Defendants Scott Jones, James Lewis, and Rick Pattison, and DENIED as to Defendant County of Sacramento.

5. The motion is GRANTED as to the 4th claim (failure to protect from harm in violation of the Fourteenth Amendment) as to Defendants Scott Jones, James Lewis, and Rick Pattison, and DENIED as to Defendant County of Sacramento.

6. The motion is GRANTED as to the 5th claim (loss of familial companionship) asserted against Defendants County of Sacramento, Scott Jones, James Lewis, and Rick Pattison by Plaintiffs James Allison Mayfield, Jr. and Terri Mayfield.

7. The motion is DENIED as to the 6th claim (Americans with Disabilities Act) as to Defendant County of Sacramento.

8. The motion is GRANTED as to the 8th claim (failure to furnish/summon medical care) as to Defendants Scott Jones, James Lewis, and Rick Pattison, and DENIED as to Defendant County of Sacramento.

9. The motion is GRANTED as to the 9th claim (assault) as to Defendant County of Sacramento.

10. The motion is GRANTED as to the 10th claim (battery) as to Defendant County of Sacramento.

11. The motion is GRANTED as to the 11th claim (Bane Act) as to Defendant County of Sacramento.

12. The motion is GRANTED as to the 12th claim (negligence) as to Defendants Scott Jones, James Lewis, and Rick Pattison, and DENIED as to Defendant County of Sacramento.

13. The motion is GRANTED as to the 13th claim (negligent supervision, training, hiring, and retention) as to Defendants Scott Jones, James Lewis, and Rick Pattison, and DENIED as to Defendant County of Sacramento.

14. The motion is GRANTED as to the 14th claim (dangerous condition of public property) as to Defendants Scott Jones, James Lewis, Rick Pattison, and County of Sacramento.

15. The motion is GRANTED as to the 15th claim (intentional infliction of emotional distress) as to Defendants Scott Jones, James Lewis, Rick Pattison, and County of Sacramento.

16. The motion is GRANTED as to the 16th claim (negligent infliction of emotional distress) as to Defendants Scott Jones, James Lewis, Rick Pattison, and County of Sacramento, as claims for damages for emotional distress are subsumed into Plaintiffs' 12th claim for negligence.

Dated: 3-31, 2017

The Honorable John A. Mendez
United States District Court Judge

APPROVED AS TO FORM:

HADSELL STORMER & RENICK LLP

Dated: March 31, 2017

/S/: Joshua Piovia-Scott
Joshua Piovia-Scott
Attorneys for Plaintiffs