



1 the life threatening episodes due to the lack of OHU care (id. at 9), the gravamen of claim two is  
2 that defendants improperly transferred plaintiff to Solano.

3 The September 17, 2014 findings and recommendations addressing defendants' motion  
4 requesting that plaintiff be required to file an amended complaint containing numbered  
5 paragraphs identified the two claims raised in the complaint. (ECF No. 30.) Accordingly,  
6 defendants are directed to file supplemental briefing addressing plaintiff's claim that defendants  
7 transferred him to Solano in violation of his Eighth Amendment right to adequate medical care,  
8 including the adequacy of the medical care at Solano for plaintiff.

9 For the reasons stated herein, defendants are also directed to file supplemental briefing  
10 addressing plaintiff's claim alleging inadequate pain medication.

11 In his declaration addressing plaintiff's claim that he did not receive adequate pain  
12 medication, defendant Dhillon states,

13 At all relevant times, I observed plaintiff to be stable and  
14 functional. I generally observed plaintiff to be fairly comfortable,  
15 alert, awake, oriented, ambulatory, and able to perform activities of  
16 daily living without support. On multiple occasions, I observed  
17 plaintiff happily walking, talking, smiling and laughing when  
18 coming to Insulin line and ACC. I never observed plaintiff with  
19 significant pain or discomfort.

20 (ECF No. 37-3 at 2.)

21 In his verified declaration filed in support of his opposition, plaintiff states that during the  
22 relevant time period, he was housed in administrative segregation ("ad seg"). (ECF No. 39 at 23.)  
23 Plaintiff states that while he was in ad seg, all medications were brought to his cell. (Id.) Based  
24 on his placement in ad seg, plaintiff states that defendant Dhillon could not have observed him  
25 coming to the Insulin line. (Id.)

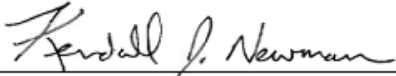
26 Defendants are directed to file further briefing addressing plaintiff's claim that he was in  
27 ad seg during the relevant time period and his insulin was brought to his cell. Defendants shall  
28 also address how defendant Dhillon was able to observe plaintiff perform the activities of daily  
living if plaintiff was housed in ad seg during the relevant time period.

In his complaint, plaintiff alleges that he is wheelchair bound. (ECF No. 1 at 7.) In the  
further briefing, defendants shall clarify how defendant Dhillon was able to observe plaintiff

1 walking if he is wheelchair bound.

2 Accordingly, IT IS HEREBY ORDERED that defendants shall file the supplemental  
3 briefing described above within twenty-one days of the date of this order; plaintiff may file a  
4 supplemental opposition within fourteen days thereafter; defendants may file a reply to plaintiff's  
5 supplemental opposition within seven days thereafter.

6 Dated: May 22, 2015

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KENDALL J. NEWMAN  
9 UNITED STATES MAGISTRATE JUDGE

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