

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VALERIE GEORGE, et al.,  
Plaintiffs,

No. C-08-02675 EDL

**ORDER SETTING FURTHER  
PRETRIAL CONFERENCE**

v.

SONOMA COUNTY SHERIFF'S DEPT.,  
et al.,  
Defendants.

A further pretrial conference is scheduled for January 27, 2011 at 11:15 a.m. The conference will end before noon. At the conference, the Court will first address any remaining issues regarding the jury instructions, and will address other issues as time permits. At the January 14, 2011 pretrial conference, the Court ordered further briefing on several issues regarding jury instructions to be filed no later than January 24, 2011.

An issue before the Court is whether Dr. Flinders and Nurse Romano are final policymakers for purposes of Sutter's liability under 42 U.S.C. § 1983. The Court has not yet resolved that issue. However, if the Court decides that they are not themselves final policymakers by law, depending on the evidence, the jury may need to be instructed on Plaintiffs' ratification and/or delegation theories. Therefore, the parties are ordered to meet and confer regarding additional jury instructions regarding ratification and delegation. No later than January 26, 2011 at noon, the parties shall jointly file additional proposed instructions. If the instructions are disputed, the joint filing shall clearly and succinctly set forth each party's objections and reasons therefor.

Attached is the revised verdict form based on the Court's discussions with counsel at the January 14, 2011 pretrial conference and Plaintiffs' January 18, 2011 letter. The only outstanding

1 issue with respect to the verdict form is whether the jury will be asked to allocate fault to Dr. Matel  
2 separately. Briefing on that issue is due on January 24, 2011.

3 **IT IS SO ORDERED.**

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5 Dated: January 24, 2011

*Elizabeth D. Laporte*  
6 ELIZABETH D. LAPORTE  
7 United States Magistrate Judge  
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