1	Elissa Gershon, State Bar No. 169741	
2	elissa.gershon@disabilityrightsca.org Elizabeth Zirker, State Bar No. 233487	
	elizabeth.zirker@disabilityrightsca.org	
3	Kim Swain, State Bar No. 100340 kim.swain@disabilityrightsca.org	
4	Daniel Brzovic, State Bar No. 89493	
5	Dan.brzovic@disabilityrightsca.org Dara Schur, State Bar No. 98638	
6	Dara.schur@disabilityrightsca.org Jay B. Koslofsky, State Bar No. 97024	
	jay.koslofsky@disabilityrightsca.org	
7	DISABILITY RIGHTS CALIFORNIA 1330 Broadway, Suite 500	
8	Oakland, CA 94612 Telephone: (510) 267-1200	
9	Facsimile: (510) 267-1200	
10	Attorneys for Plaintiffs	
11	[Complete list of counsel on following pages]	
12	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA	
13	FOR THE NORTHERN	DISTRICT OF CALIFORNIA
14	LILLIE BRANTLEY, by her guardian ad) Case No.: C09-03798 SBA
15	litem Chauncey McLorin; GILDA GARCIA; ALLIE JO WOODARD, by her guardian ad)) CLASS ACTION
	litem Linda Gaspard-Berry; HARRY COTA;	ý
16	SUMI KONRAI by her guardian ad litem Casey Konrai; RONALD BELL by his	 STIPULATION AND SCHEDULING ORDER FOR MOTION FOR
17	guardian ad litem Rozene Dilworth, individually and on behalf of all others) PRELIMINARY INJUNCTION
18	similarly situated,)
19	Plaintiffs,	
20	vs.	
21	DAVID MAXWELL-JOLLY, Director of the)
22	Department of Health Care Services, State of California, DEPARTMENT OF HEALTH	
	CARE SERVICES,)
23	Defendants.	
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	<i>BRANTLEY, ET AL. V. MAXWELL-JOLLY,</i> C-09-03798 SBA; FOR PRELIMINARY INJUNCTION	STIPULATION AND [PROPOSED] SCHEDULING ORDER FOR MOTION
		Dockets.Justi

1	Anna Rich, State Bar No. 230195
2	arich@nsclc.org Kevin Prindiville, State Bar No. 235835
3	kprindiville@nsclc.org NATIONAL SENIOR CITIZENS LAW CENTER
4	1330 Broadway, Suite 525 Oakland, CA 94612
5	Telephone: (510) 663-1055 Facsimile: (510) 663-1051
6	Eric Carlson, State Bar No. 141538
7	ecarlson@nsclc.org NATIONAL SENIOR CITIZENS LAW CENTER
8	3435 Wilshire Boulevard, Ste 2860 Los Angeles, CA 90010-1938
9	Telephone: 213-674-2813 Facsimile: 213-639-0934
10	Barbara Jones, State Bar No. 88448
11	bjones@aarp.org AARP FOUNDATION LITIGATION
12	200 So. Los Robles, Suite 400 Pasadena, CA 91101 Telephones (626) 585 2628
13	Telephone: (626) 585-2628 Facsimile: (626) 583-8538
14	Kenneth W. Zeller, <i>Pro Hac Vice</i> kzeller@aarp.org
15	Kelly Bagby, Pro Hac Vice Pending
16	Kbagby@aarp.org AARP FOUNDATION LITIGATION 601 E Street NW
17	Washington D.C. 20049 Telephone: (202) 434-2060
18	Facsimile: (202) 434-6424
19	Sarah Somers, State Bar No. 170118 somers@healthlaw.org
20	Martha Jane Perkins, State Bar No. 104784 perkins@healthlaw.org
21	NATIONAL HEALTH LAW PROGRAM 211 N. Columbia Street
22	Chapel Hill, NC 27514 Telephone: (919) 968 - 6308
23	Facsimile: (919) 968-8855
24	Attorneys for Defendants Edmund G. Brown, Jr.
25	Attorney General of California Susan M. Carson, State Bar No. 135875
26	susan.carson@doj.ca.gov Supervising Deputy Attorney General
27	455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004
28	
	ii Brantley, et al. v. Maxwell-Jolly, C-09-03798 SBA: Stipulation

1	Telephone: Facsimile:	(415) 703-5580 (415) 703-5480
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	BRANTLEY, ET AL FOR PRELIMINA	<i>l. v. Maxwell-Jolly,</i> C-09-03798 SBA; Stipulation and [Proposed] Scheduling Order for Motion ry Injunction

L	WHEREAS, the parties in this action have met and conferred; and		
2	WHEREAS, Plaintiffs intend to move to preliminarily enjoin State action implementing new		
3	eligibility criteria for Adult Day Health Care which will terminate ADHC benefits to affected		
4	participants; and		
5	WHEREAS, the State anticipates implementation of these new criteria to occur on March 1,		
6	2010; and		
7	WHEREAS, the Court currently does not have available hearing dates prior to March 1,		
8	2010; and		
9	WHEREAS, Defendants need to notify Adult Day Health Care providers of any Court action		
0	no later than February 26, 2010; and		
1	WHEREAS, the parties have agreed to a briefing schedule and hearing date that will		
2	accommodate these scheduling concerns and permit the Court to rule prior to February 26, 201	.0;	
3	THE PARTIES HEREBY STIPULATE to request that the Court enter the following by	riefing	
4	schedule and hearing date:		
5	1) Plaintiffs' moving papers and evidence in support thereof to be filed no later that	ın	
6	January 19, 2010;		
7	2) Defendants' Opposition and evidence in support thereof to be filed no later than		
8	February 2, 2010;		
9	3) Plaintiffs' Reply and evidence in support thereof to be filed no later than Februa	ary	
0	9, 2010;		
1	4) The Court to hear the motion on February 23, 2010.		
2	Dated: Respectfully Submitted,		
3	DISABILITY RIGHTS CALIFORNIA AARP FOUNDATION LITIGATION		
4	NATIONAL SENIOR CITIZENS LAW CENTER NATIONAL HEALTH LAW PROGRAM		
5	By: /s/		
6	Elissa Gershon		
7	Attorneys for Plaintiffs		
8	iv		

1 2	2 Attorney General of Californ SUSAN M. CARSON			
3		•		
4	4 Dated: By: <u>/s/</u> Susan M. Carson			
5	5 Attorneys for Defendants			
6	Filer's Attestation: Pursuant to General Order No. 45, § X(B), I attest under penalty of			
7	7 perjury that concurrence in the filing of the document has been obtain	ed from each of its signatories.		
8 9	Elissa Gershon			
10		DUDCUANT TO STIDUU ATION the Court hereby opters the fellowing scheduling order for		
11		PURSUANT TO STIPULATION, the Court hereby enters the following scheduling order for		
12		1) Plaintiffs' moving papers and evidence in support thereof to be filed no later than		
13				
14	14 2) Defendants' Opposition and evidence in support thereof to	be filed no later than		
15	15 February 2, 2010;			
16	16 3) Plaintiffs' Reply and evidence in support thereof to be file	3) Plaintiffs' Reply and evidence in support thereof to be filed no later than February		
17	17 9, 2010;			
18	184) The Court to hear the motion on February 23, 2010 at 1:00) pm in Courtroom 1, Fourth		
19	19 Floor.			
20	20 IT IS SO ORDERED.	IT IS SO ORDERED.		
21	21 Dated: 1/11/10 By: Honorable Saundra B. Arm	strong		
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23	23			
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