

*****ROUGH DRAFT ONLY*****

1
2 CASE NO: BC647075
3 CASE NAME: FRIEDMAN V. COUNTY OF L.A.
4 LOS ANGELES, CALIFORNIA TUESDAY, AUGUST 20, 2019
5 DEPARTMENT 71 HON. MONICA BACHNER, JUDGE
6 REPORTER: SANDRA GUERRA, CSR 10977
7 APPEARANCES: (AS HERETOFORE NOTED.)
8 TIME: A.M. SESSION
9
10

11 (THE FOLLOWING PROCEEDINGS WERE HELD
12 IN OPEN COURT.)
13

14 THE COURT: GOOD MORNING, EVERYBODY. CALLING
15 THE MATTER OF FRIEDMAN V. THE COUNTY OF LOS ANGELES.

16 MAY I HAVE APPEARANCES, PLEASE?

17 MR. PARKS: MICHAEL PARKS FOR THE PLAINTIFF
18 LOUIS FRIEDMAN.

19 MR. GONZALES: DENNIS GONZALES FOR THE COUNTY
20 OF LOS ANGELES.

21 MR. SAKAI: RAYMOND SAKAI FOR DEFENDANTS.

22 THE COURT: SO WE ALSO HAVE PRESENT CERTAIN
23 REPRESENTATIVES FROM THE VARIOUS PARTIES.

24 SO THE PLAINTIFF MR. FRIEDMAN IS PRESENT.

25 MR. FRIEDMAN: YES, YOUR HONOR, GOOD MORNING.

26 THE COURT: AND HIS WIFE IS ALSO PRESENT. GOOD
27 MORNING.

28 AND THEN YOU HAVE SOME REPRESENTATIVES FROM THE

1 COUNTY AS WELL AS THE SHERIFF'S.

2 MR. GONZALES: YES, THE SHERIFF'S
3 REPRESENTATIVE IS RICK DEBRUIJN.

4 THE COURT: MR. DEBRUIJN, CAN YOU SPELL YOUR
5 NAME PLEASE.

6 D-E-B-R-U-I-J-N.

7 THE COURT: CAN YOU SPELL THAT AGAIN.

8 MR. DEBRUIJN: D-E, B AS IN BOY, R-U-I-J-N.

9 THE COURT: THANK YOU. AND THEN?

10 MR. KEOSIAN: CHRIS KEOSIAN COUNTY COUNSEL.

11 THE COURT: AND THEN I UNDERSTAND THERE'S ALSO
12 ANOTHER REPRESENTATIVE FROM THE SHERIFF'S ON THE PHONE;
13 IS THAT CORRECT?

14 MR. GONZALES: THAT IS CORRECT. CHIEF, COULD
15 YOU PLEASE IDENTIFY YOURSELF.

16 MR. STRINGHAM: MY NAMES IS CHARLES STRINGHAM,
17 S-T-R-I-N-G-H-A-M AND I AM CHIEF WITH THE LOS ANGELES
18 COUNTY SHERIFF'S DEPARTMENT.

19 MR. GONZALES: AND YOUR HONOR, AS WE INDICATED
20 YESTERDAY, AND HAS BEEN INDICATED AGAIN THIS MORNING, WE
21 HAVE COMPLETED THE FINALIZED VERSION OF THE RECITATION
22 THAT I WILL PRESENT RIGHT NOW, AND THEN WE CAN LET THE
23 CHIEF GO BACK TO HIS JOB AND THEN COUNSEL WILL RECITE
24 THE REST OF THE AGREEMENT WITH THE COURT'S PERMISSION.

25 THE COURT: OKAY.

26 AND THAT WOULD BE -- THERE IS A SETTLEMENT IN
27 THIS MATTER, CORRECT?

28 MR. GONZALES: THAT IS CORRECT.

1 THE COURT: AND THE COURT DID CONDUCT A
2 MANDATORY SETTLEMENT CONFERENCE, THE PARTIES AGREED TO
3 THAT, THERE WERE SIGNATURES OF COUNSEL AS WELL AS THE
4 PARTIES.

5 AT THIS POINT WE'RE PUTTING THE SETTLEMENT ON
6 THE RECORD, WHICH INCLUDES THE RECITATION; IS THAT
7 CORRECT?

8 MR. GONZALES: THAT IS ACCURATE.

9 MR. PARKS: THAT'S CORRECT, YOUR HONOR. THE
10 PARTIES HAVE STIPULATED TO AN ENFORCEABLE SETTLEMENT ON
11 THE RECORD.

12 THE COURT: AND WE'RE GOING TO START AT THE
13 REQUEST OF DEFENSE WITH THE RECITATION.

14 MR. GONZALES: THAT'S CORRECT.

15 THE COURT: YOU MAY PROCEED.

16 MR. GONZALES: THANK YOU.

17 LOUIS FRIEDMAN TOOK AND COMPLETED ALL REQUIRED
18 COURSE AND EXAMINATIONS FOR PENAL CODE SECTION 832 AND
19 LEVEL III RESERVE TRAINING, BEGINNING WITH CLASS 91 TO
20 THE SATISFACTION OF THE LOS ANGELES COUNTY SHERIFF'S
21 DEPARTMENT.

22 AS OF TODAY, THE LOS ANGELES COUNTY SHERIFF'S
23 DEPARTMENT NEGLECTED TO MAINTAIN THE ROSTER AND RECORDS
24 REFLECTING THE COMPLETION OF HIS COURSEWORK.

25 THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
26 ACKNOWLEDGES IT MISPLACED THE PAPERWORK THAT WOULD HAVE
27 ESTABLISHED MR. FRIEDMAN'S COMPLETION OF ALL LEVEL III
28 RESERVE TRAINING REQUIREMENTS TO THE LOS ANGELES COUNTY

1 DEPARTMENT'S SATISFACTION.

2 MR. PARKS: I JUST WANTED TO CONFIRM IT WAS
3 LOUIS FRIEDMAN TOOK AND COMPLETED ALL REQUIRED
4 COURSEWORK AND EXAMINATIONS.

5 MR. GONZALES: I SAID THAT.

6 AT ANY RATE, CHIEF, DO YOU CONCUR WITH THAT?

7 MR. STRINGHAM: I DO CONCUR.

8 MR. GONZALES: VERY GOOD. I THINK THAT
9 SATISFIES THE PORTION THAT WAS REQUIRED FOR YOUR
10 ATTENDANCE. IS THAT CORRECT, COUNSEL?

11 MR. PARKS: THAT ESTABLISHES THE STATEMENT OF
12 FACTS TO OUR SATISFACTION.

13 THE COURT: AND SO IS IT CORRECT THAT THE
14 PRESENCE OF CHIEF STRINGHAM IS NO LONGER REQUIRED?

15 MR. GONZALES: YES.

16 MR. PARKS: THAT'S CORRECT, YOUR HONOR.

17 THE COURT: THANK YOU.

18 MR. GONZALES: CHIEF, THANK YOU FOR YOUR TIME,
19 SIR.

20 MR. STRINGHAM: THANK YOU. BYE.

21 THE COURT: SO THEN, IS THERE GOING TO BE A
22 RECITATION OF -- WHO'S GOING TO BE PLACING THE REMAINDER
23 OF THE SETTLEMENT ON THE RECORD?

24 MR. PARKS: I WILL COMPLETE THAT PROCESS, YOUR
25 HONOR.

26 THE COURT: OKAY.

27 MR. PARKS: PROCEEDING FORWARD WITH THE
28 STIPULATED TERMS OF THE SETTLEMENT: ALL OF

1 MR. FRIEDMAN'S LAW ENFORCEMENT CONTRIBUTIONS AND DUTIES
2 WERE DONE AT THE REQUEST AND/OR WITH THE AUTHORITY OF
3 THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT.

4 AND AS A TERM OF SETTLEMENT, THE LOS ANGELES
5 COUNTY SHERIFF'S DEPARTMENT AGREES TO INDEMNIFY AND
6 DEFEND MR. FRIEDMAN IN CONNECTION WITH ANY CLAIMS OR
7 MATTERS ARISING FROM HIS EMPLOYMENT --

8 MR. GONZALES: YOUR HONOR, WE NEED TO DISCUSS
9 THAT ASPECT, BECAUSE THAT WAS NOT THE FINAL VERSION THAT
10 WE HAD AGREED TO. THAT'S SOMETHING NEW.

11 MR. PARKS: NO, I PUT THAT OUT THERE AND RAY
12 AND I PUT IT AS PART OF THE SETTLEMENT AGREEMENT.

13 MR. GONZALES: CAN WE TAKE A BREAK, YOUR HONOR?

14 THE COURT: SURE.

15 WE'RE TAKING A BREAK.

16 (COURT IS IN RECESS.)

17
18 (THE FOLLOWING PROCEEDINGS WERE HELD
19 IN OPEN COURT.)

20
21 MR. GONZALES: WITH THE COURT'S PERMISSION, I'M
22 GOING TO HAVE MR. SAKAI RECITE IT.

23 THE COURT: OKAY, RECITE WHAT?

24 MR. GONZALES: THE CONCERN THAT WE HAVE.

25 ARE WE BACK ON THE RECORD?

26 THE COURT: YES.

27 MR. SAKAI: WE HAD A BRIEF DISCUSSION WITH OUR
28 CLIENTS AND WITH COUNSEL.

1 TO CLARIFY THE RECORD, IT IS OUR UNDERSTANDING
2 THAT WE ARE HERE TO RECITE THE GENERAL TERMS OF OUR
3 SETTLEMENT AGREEMENT TO BE REDUCED TO A WRITTEN
4 SETTLEMENT AGREEMENT, WHICH IS REQUIRED BY THE CLAIMS
5 BOARD FOR APPROVAL. AND THERE WAS AN ISSUE AS TO A TERM
6 THAT WAS JUST RAISED, AND WE WOULD LIKE TO CLARIFY THAT.
7 AND THAT'S AS REGARD TO INDEMNIFICATION. THE COUNTY IS
8 AGREEABLE TO INDEMNIFY MR. FRIEDMAN PURSUANT TO THE
9 GOVERNMENT CODE, INCLUDING 825, WHICH IS THE
10 INDEMNIFICATION PROVISION FOR PUBLIC EMPLOYEES.

11 MR. PARKS: AND I JUST WANT TO CLARIFY,
12 DEFENDANT INDEMNIFIES.

13 MR. SAKAI: YES.

14 THE COURT: ARE YOU ALL ON THE SAME SHEET OF
15 MUSIC?

16 MR. PARKS: WE ARE NOW. SO IF I CAN CONTINUE.

17 THE COURT: SO THAT'S A CLARIFICATION OF WHAT
18 YOU EARLIER SAID. AND THE ENTIRE AGREEMENT WILL BE SET
19 FORTH IN WRITING?

20 MR. SAKAI: YES, IT WILL BE --

21 THE COURT: REDUCED.

22 MR. SAKAI: -- REDUCED TO A WRITTEN SETTLEMENT
23 AGREEMENT.

24 THE COURT: THANK YOU.

25 GO AHEAD.

26 MR. PARKS: THANK YOU, YOUR HONOR.

27 THE COUNTY AND THE SHERIFF'S DEPARTMENT WILL
28 REMOVE ANY TERMS SUCH AS TERMINATION, OTHER OR DISCHARGE

1 AS A REASON FOR SEPARATION FROM ANY AND ALL PERSONNEL
2 DOCUMENTS, EITHER CONTAINED WITHIN OR GENERATED BY THE
3 COUNTY OR SHERIFF'S DEPARTMENT AND REPLACED WITH THE
4 TERM RESIGN IN ANY DOCUMENTS THAT REFLECT A DESCRIPTION
5 OF SEPARATION OF EMPLOYMENT. AND TO THE EXTENT
6 NECESSARY OR APPROPRIATE TO PROVIDE ANY PROPER
7 NOTIFICATION TO ANY THIRD PARTIES IF REQUIRED THAT
8 MR. FRIEDMAN'S SEPARATION WAS A RESIGNATION AS OPPOSED
9 TO ANY OF THOSE OTHER TERMS. AND TO REMOVE FROM HIS
10 PERSONNEL FILE AND SHERIFF'S PERSONNEL JACKET ANY
11 REFERENCE TO TERMINATION AND/OR ANY LETTERS REFLECTING A
12 TERMINATION.

13 ADDITIONALLY, MR. FRIEDMAN WILL SUBMIT A LETTER
14 OF RESIGNATION WHICH CONFIRMS HIS RESIGNATION IN GOOD
15 STANDING. AND THE SHERIFF'S DEPARTMENT WILL -- IS GOING
16 TO PROVIDE A LETTER SIGNED BY A COMMANDING OFFICER WHICH
17 WILL STATE: TO WHOM IT MAY CONCERN, THIS WILL
18 ACKNOWLEDGE AND THANK LOUIS FRIEDMAN FOR HIS 13 YEARS OF
19 HONORABLE SERVICE AND EMPLOYMENT ON BEHALF OF THE
20 LOS ANGELES COUNTY SHERIFF'S DEPARTMENT. MR. FRIEDMAN
21 DEMONSTRATED HIS COMMITMENT TO THE PUBLIC'S SAFETY AND
22 WE RECOGNIZE HIS MANY COMMENDATIONS AND CONTRIBUTIONS TO
23 THE SHERIFF'S DEPARTMENT AND WISH HIM WELL AND THAT WILL
24 BE ON SHERIFF'S DEPARTMENT LETTERHEAD SIGNED BY A
25 COMMANDING OFFICER. ADDITIONALLY, THE SHERIFF'S
26 DEPARTMENT AND COUNTY WILL -- IS GOING TO PROVIDE A
27 PROCLAMATION OF THANKS TO MR. FRIEDMAN FOR HER SERVICE.

28 A SETTLEMENT PAYMENT WILL BE PAID TO

1 MR. FRIEDMAN IN THE THE AMOUNT OF 999 THOUSAND --

2 THE COURT: NO.

3 MR. PARKS: I DID IT AGAIN.

4 THE COURT: I'M SORRY, I INTERRUPTED AND SAID
5 NO.

6 MR. PARKS: WHAT IS WRONG WITH ME? LET ME TRY
7 THAT AGAIN.

8 THE COURT: I THINK EVERYBODY KNOWS THAT IT'S A
9 MISTAKE.

10 MR. PARKS: WE ALL KNOW, IT WAS A MISTAKE
11 AGAIN.

12 \$99,999.99, WHICH WILL BE PAYABLE UPON, I
13 GUESS, CLAIMS BOARD APPROVAL, BUT IT WILL BE PAID TO
14 MR. FRIEDMAN. ADDITIONALLY ATTORNEY'S FEES NOT TO
15 EXCEED \$400,000 WILL BE PAID UPON ORDER OF THE COURT
16 FOLLOWING A STATUTORY ATTORNEY FEE MOTION, WHICH THE
17 COUNTY AND PLAINTIFF AGREE WILL BE THE PROCEDURE FOR
18 PAYMENT FEES.

19 THE COURT: AND, COUNSEL, THAT'S ATTORNEY'S
20 FEES AND COSTS?

21 MR. PARKS: AND COSTS, THAT'S CORRECT.

22 ADDITIONALLY, MR. FRIEDMAN WILL BE PROVIDED
23 WITH A TENURE PIN REFLECTING HIS SERVICE AND A BADGE IN
24 LUCITE, WHICH WILL ALSO REFLECT HIS SHERIFF'S DEPARTMENT
25 SERVICE.

26 AND I BELIEVE THAT COVERS THE ESSENTIAL TERMS
27 OF THE SETTLEMENT.

28 MR. SAKAI: TWO POINTS OF CLARIFICATION: THAT

1 THE LETTER OF RESIGNATION WOULD BE AS OF THE DATE OF
2 SEPARATION, I BELIEVE THAT'S IN -- I FORGET WHAT YEAR,
3 2015?

4 MR. FRIEDMAN: JUNE 2015.

5 MR. PARKS: WE'LL PROVIDE THAT.

6 MR. SAKAI: AND CLARIFICATION ON THE LUCITE.
7 WE CANNOT PROVIDE A BADGE, BUT I BELIEVE IN CHAMBERS WE
8 DISCUSSED A LUCITE COUNTY COMMEMORATION.

9 THE COURT: REGARDING THE BADGE, IS THERE --
10 THE LUCITE --

11 MR. PARKS: THE LUCITE SHERIFF'S BADGE WITH THE
12 NAME ON THE OUTSIDE OF THE LUCITE, WE'RE INFORMED HE CAN
13 PURCHASE IT AT THE SHERIFF'S STORE. AND OUR
14 UNDERSTANDING IS IT'S AVAILABLE, AND OUR CLIENT WOULD
15 LIKE TO PURCHASE IT. AND WE ARE ADVISED, IF POSSIBLE,
16 IT WILL ALSO BE PROVIDED.

17 MR. SAKAI: YES, THAT IS AGREEABLE.

18 AND THEN ON THE COUNTY SIDE, AS WE DISCUSSED,
19 THIS IS ALL SUBJECT TO CLAIMS BOARD APPROVAL. AND AS
20 PLAINTIFF'S ATTORNEY NOTED, ALL FEES AND COSTS
21 ASSOCIATED WITH THIS CASE ARE GOING TO BE SETTLED IN THE
22 FEES AND COSTS MOTION, WHICH YOU'LL FILE.

23 MR. PARKS: THEY WILL BE DETERMINED BY THE
24 COURT ON A NOTICED MOTION.

25 MR. SAKAI: YES. AND THEN THERE WAS ONE MORE
26 ISSUE ABOUT --

27 MR. PARKS: I'M SORROW, LET ME CLARIFY, SO
28 SEPARATE AND APART, THESE ARE THE TERMS OF THE

1 SETTLEMENT WITH LOUIS FRIEDMAN. WITH REGARD TO FINALITY
2 OF THE CASE AS A WHOLE, WE'VE REACHED AN AGREEMENT THAT
3 MS. SIDROW WILL WAIVE ANY RIGHT OF APPEAL WITH REGARD TO
4 ANY CLAIMS SHE HAD IN THIS CASE IN RETURN FOR A WAIVER
5 OF COSTS -- MUTUAL WAIVER OF COSTS BETWEEN THE
6 DEFENDANTS AND MS. SIDROW. AND THAT WAS AGREED TO.

7 MR. SAKAI: THAT WAS AGREEABLE AND THAT SHOULD
8 GLOBALLY RESOLVE ALL THE ISSUES AND CLAIMS IN THIS CASE.

9 THE COURT: SO WHAT I NEED TO DO IS ASK YOUR
10 RESPECTIVE CLIENTS IF THAT IS THEIR UNDERSTANDING.

11 OKAY, SO MR. FRIEDMAN, DID YOU UNDERSTAND THE
12 TERMS OF THE SETTLEMENT?

13 MR. FRIEDMAN: YES, YOUR HONOR, I DO.

14 THE COURT: IS THAT WHAT YOU WISH TO DO?

15 MR. FRIEDMAN: YES YOUR HONOR.

16 THE COURT: OKAY. THANK YOU VERY MUCH.

17 I DON'T KNOW IF IT'S NECESSARY TO INQUIRE OF
18 MS. SIDROW SINCE I THINK THAT WAS RELATED TO JUST
19 ANOTHER ISSUE BETWEEN THE PARTIES.

20 MR. PARKS: YES. AND I HAVE AUTHORITY AS HER
21 ATTORNEY TO MAKE THAT AGREEMENT.

22 THE COURT: OKAY.

23 THEN LET ME ADDRESS BOTH THE REPRESENTATIVES
24 FROM THE COUNTY COUNSEL, AS WELL AS THE SHERIFF'S. AND
25 STARTING WITH THE COUNTY COUNSEL. YOU UNDERSTAND THE
26 TERMS OF THE SETTLEMENT?

27 MR. KEOSIAN: YES, YOUR HONOR.

28 THE COURT: AND THEY'RE AGREEABLE TO YOU?

1 MR. KEOSIAN: YES, YOUR HONOR.

2 THE COURT: AND YOU HAVE FULL SETTLEMENT
3 AUTHORITY IN THIS MATTER?

4 MR. KEOSIAN: FOR THE COUNTY OF LOS ANGELES,
5 YES, MA'AM.

6 THE COURT: SUBJECT TO THE APPROVAL BY THE --

7 MR. KEOSIAN: CLAIMS BOARD.

8 THE COURT: CLAIMS BOARD. BUT YOU HAVE THE
9 AUTHORITY AS TO THAT AMOUNT?

10 MR. KEOSIAN: TO ENTER INTO THE SETTLEMENT
11 AGREEMENT SUBJECT TO APPROVAL OF THE BOARD.

12 THE COURT: AND I'M GOING TO ASK THE SAME
13 QUESTION OF MR. DEBRUIJN.

14 SO REGARDING THE SHERIFF'S, DO YOU HAVE THE
15 AUTHORITY TO, IN THIS MATTER, FULL SETTLEMENT AUTHORITY?

16 MR. DEBRUIJN: YES YOUR HONOR.

17 THE COURT: AND YOU UNDERSTAND THE TERMS?

18 MR. DEBRUIJN: YES, YOUR HONOR.

19 THE COURT: AND YOU AGREE TO THOSE TERMS?

20 MR. DEBRUIJN: YES.

21 THE COURT: AND I DON'T THINK I ASKED YOU: DO
22 YOU ALSO AGREE TO THE TERMS.

23 MR. KEOSIAN: YES, YOUR HONOR.

24 THE COURT: AND MR. FRIEDMAN, IF I DIDN'T ASK
25 YOU, YOU AGREE TO THE TERMS?

26 MR. FRIEDMAN: YES, YOUR HONOR, I DO.

27 THE COURT: THANK YOU VERY MUCH.

28 AND ARE THE PARTIES ASKING THE COURT TO RETAIN

1 JURISDICTION UNDER 664.6?

2 MR. PARKS: WE STIPULATE TO YOUR HONOR
3 RETAINING JURISDICTION UNDER 664.6.

4 MR. SAKAI: YES, YOUR HONOR.

5 THE COURT: AND YOU'RE GOING TO PUT THAT IN THE
6 SETTLEMENT AGREEMENT?

7 MR. PARKS: AND WE WOULD ASK YOUR HONOR IF YOU
8 WOULD ISSUE AN ORDER OF SOME MANNER.

9 THE COURT: I AM ORDERING THAT THE COURT,
10 PURSUANT TO THE AGREEMENT OF THE PARTIES AND -- OKAY,
11 LET'S GET THAT STATED BY THE PARTIES ON THE RECORD ALSO.
12 SINCE IT HAS TO BE -- THE PARTIES HAVE TO DO IT, AND
13 YOU'LL PUT IT IN THE WRITTEN DOCUMENT ALSO, BUT
14 MR. FRIEDMAN, YOU'RE AGREEING THAT THE COURT RETAIN
15 JURISDICTION UNDER 664.6 OF THE CODE OF CIVIL PROCEDURE?

16 MR. FRIEDMAN: YES, YOUR HONOR, I DO.

17 THE COURT: AND THEN MR. KEOSIAN, ON BEHALF OF
18 THE COUNTY?

19 MR. KEOSIAN: THAT IS CORRECT, YOUR HONOR.

20 THE COURT: AND IS IT MR., SERGEANT, OFFICER,
21 DEPUTY?

22 MR. DEBRUIJN: DEPUTY.

23 THE COURT: THANK YOU. I STARTED WITH A HIGHER
24 RANK FOR YOU.

25 DEPUTY DEBRUIJN, DO YOU ALSO AGREE THAT THE
26 COURT -- THAT THIS WOULD BE A JUDICIALLY SUPERVISED
27 SETTLEMENT AND THE COURT WILL RETAIN JURISDICTION UNDER
28 CCP CODE SECTION 664.6?

1 MR. DEBRUIJN: YES, YOUR HONOR/.

2 THE COURT: OKAY, AT THE REQUEST OF THE
3 PARTIES -- AND COUNSEL CONCUR?

4 MR. PARKS: WE CONCUR, YOUR HONOR.

5 MR. GONZALES: YES.

6 MR. SAKAI: YES, YOUR HONOR.

7 THE COURT: THE COURT WILL RETAIN JURISDICTION.
8 IT IS ENFORCEABLE UNDER CCP 664.6. THE MINUTES WILL
9 INDICATE THAT.

10 MR. PARKS: THANK YOU SO MUCH, YOUR HONOR.

11 THE COURT: AND AT THIS POINT WE'RE GOING TO
12 VACATE THE TRIAL DATE. WELL, THE TRIAL DATE OF
13 TOMORROW. I'M GOING TO ASK THE CLERK TO NOTIFY THE JURY
14 ROOM THAT WE DON'T NEED THOSE JURORS THAT WE ORDERED,
15 AND YOU'RE GOING TO BE FILING A MOTION, AND I THINK
16 WE'RE SETTING NEXT YEAR ANYHOW. MY RECOLLECTION IS THE
17 PARTIES TOLD ME THAT IT TAKES AT LEAST THREE MONTHS?

18 MR. GONZALES: AT LEAST THREE MONTHS TO GET ON
19 THE AGENDA.

20 THE COURT: AND WE'RE GOING TO BE COMING UP ON
21 THE HOLIDAY, SO WHY DON'T I SET AN OSC RE DISMISSAL --
22 WE CAN SET IT TENTATIVELY FOR JANUARY. IN THE MEANWHILE
23 YOU CAN FILE YOUR MOTION, AND THEN WE CAN JUST MOVE THE
24 DATE -- I JUST WANT TO HAVE A PLACE HOLDER.

25 MR. PARKS: SURE, YOUR HONOR. JUST A FEW
26 THOUGHTS. NOT TO SPEAK TO HAVING A UNIVERSAL EXPERIENCE
27 WITH THE CLAIMS BOARD, BUT I HAVE HAD SOME OCCASIONS
28 WHERE I'VE BEEN TOLD CERTAIN TIME FRAMES, AND THEY'VE

1 TURNED INTO OTHER TIME FRAMES.

2 THE COURT: I SAID FIVE MONTHS.

3 MR. PARKS: THAT SEEMS A BIT LONG FROM WHAT I
4 UNDERSTAND. I WOULD LIKE TO MAKE SURE THIS HAPPENS
5 SOONER.

6 THE COURT: I'M FINE. I JUST ADDED AN EXTRA
7 MONTH AND A HALF, I THINK. THE ESTIMATE WAS THREE
8 MONTHS?

9 MR. GONZALES: BUT IT DOES DEPEND ON THEIR
10 AGENDA. WE HAVE NO CONTROL OVER THAT.

11 THE COURT: I CAN SET IT AND THEN WE CAN -- IF
12 YOU'RE ASKING AN EARLIER DATE, THAT'S FINE, AND THEN
13 YOU'RE GOING TO FILE YOUR MOTION ANYHOW.

14 MR. PARKS: RIGHT.

15 THE COURT: SO THERE WOULDN'T BE A DISMISSAL
16 UNTIL I HEAR THE MOTION IN ANY CASE.

17 MR. PARKS: THAT'S CORRECT.

18 THE COURT: AND I DON'T -- BASED ON WHAT PEOPLE
19 HAVE BEEN SAYING TO ME IN OTHER MATTERS, IT SOUNDS LIKE
20 PEOPLE ARE SETTING THINGS IN DECEMBER OR JANUARY.

21 SO IF YOU WANT ME TO GIVE YOU A DATE IN
22 NOVEMBER, THAT'S FINE, THAT WOULD BE THREE MONTHS.

23 MR. PARKS: I THINK THAT WOULD BE PREFERABLE SO
24 WE'RE READY TO GO WHEN WE GET TO THE BOARD.

25 THE COURT: THAT'S FINE.

26 MR. GONZALES: IT SHOULD BE NOTED THAT IF THE
27 CLAIMS BOARD HAS NOT PUT THIS ON THE AGENDA, AT THAT
28 POINT IN TIME WE'LL BE REQUESTING A CONTINUANCE FROM THE

1 COURT.

2 THE COURT: OF COURSE.

3 MR. PARKS: BUT THAT'S -- WE JUST WANT THE
4 COURT TO BE ON BOARD AND SUPERVISING THIS PROCESS.

5 THE COURT: THAT'S FINE. SO THREE MONTHS FROM
6 NOW WOULD BE NOVEMBER 20TH. A WEEK BEFORE THANKSGIVING.
7 SO I WILL BE HERE. DOES THAT WORK FOR EVERYBODY,
8 NOVEMBER 20TH? I UNDERSTAND -- I DON'T THINK THE MOTION
9 WILL BE HEARD BEFORE THEN, BUT AT LEAST YOU'LL KNOW WHAT
10 DATE YOU SCHEDULED YOUR MOTION FOR, RIGHT?

11 MR. PARKS: YES.

12 THE COURT: YOU'RE GOING TO FILE -- YOU'RE
13 GOING TO RESERVE YOUR MOTION DATE. AND BY THIS DATE OF
14 OCTOBER -- NOVEMBER 20TH, WE WILL KNOW WHAT THAT DATE
15 IS.

16 MR. PARKS: CORRECT.

17 THE COURT: OKAY.

18 AND I PRESUME THERE WOULDN'T BE A DISMISSAL
19 UNTIL I HEAR THE MOTION IN ANY CASE?

20 MR. PARKS: THAT'S RIGHT.

21 THE COURT: BUT THEN HOPEFULLY BY THEN WE'LL
22 EITHER HAVE BEEN TO THE CLAIMS BOARD OR WE'LL KNOW WHEN
23 IT'S SCHEDULED FOR.

24 MR. GONZALES: THAT'S ACCURATE.

25 THE COURT: AND THEN WE'LL ALL BE ON THE SAME
26 SHEET OF MUSIC.

27 MR. PARKS: THAT WORKS.

28 THE COURT: SO NOVEMBER 20TH AT 8:30 A.M., OSC

1 RE DISMISSAL.

2 IS THERE ANYTHING ELSE?

3 MR. GONZALES: NOTHING FROM THE DEFENSE, YOUR
4 HONOR.

5 MR. PARKS: NOTHING FROM PLAINTIFF, YOUR HONOR.

6 THE COURT: I WANT TO THANK ALL OF YOU VERY
7 MUCH FOR THE EFFORTS THAT YOU HAVE DONE ON THIS CASE.
8 AND I WANT TO THANK YOU VERY MUCH, THE PARTIES, YOU
9 KNOW, MR. FRIEDMAN FOR COMING IN AND SUCCESSFULLY
10 WORKING WITH OPPOSING COUNSEL AND THE COUNTY, SO THANK
11 YOU ALL VERY MUCH FOR ALL THE EFFORTS YOU PLACED ON THE
12 CASE.

13 COUNSEL, ALSO THANK YOU VERY MUCH.

14 IS NOTICE WAIVED OR SOMEONE GOING TO GIVE
15 NOTICE?

16 MR. PARKS: WE CAN GIVE NOTICE, YOUR HONOR.
17 WE'LL GIVE NOTICE.

18 MR. SAKAI: EITHER OR. I COULD GIVE NOTICE OF
19 THE OSC.

20 MR. PARKS: WHY DON'T I GIVE NOTICE.

21 THE COURT: OKAY.

22 SO AGAIN, THANK YOU ALL VERY MUCH FOR THE
23 EFFORTS AND THE TIME YOU PLACED IN THIS CASE.

24

25

26

27

28