

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

DERRIL HEDRICK, DALE ROBINSON,
KATHY LINDSEY, MARTIN C. CANADA,
DARRY TYRONE PARKER, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

JAMES GRANT, as Sheriff of Yuba County;
Lieutenant FRED J. ASBY, as Yuba County
Jailer; JAMES PHARRIS, ROY LANDERMAN,
DOUG WALTZ, HAROLD J. "SAM"
SPERBEK, JAMES MARTIN, as members of
the YUBA COUNTY BOARD OF
SUPERVISORS,

Defendants.

Case No. 2:76-CV-00162-EFB

**STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING
EXTENSION OF SECOND
AMENDED CONSENT DECREE
("SACD")**

Judge: Edmund F. Brennan

Trial Date: None Set

On January 13, 2025, United States Magistrate Judge Edmund F. Brennan entered a stipulated order that extended the term of, and made minor modifications to, a Second Amended Consent Decree (“SACD”) covering certain operations of the Yuba County Jail (the “Jail”). *See* ECF No. 295. The modifications included removing several provisions from active monitoring by the third-party Monitor (“Monitor”), pursuant to criteria established by the stipulated order. Since then, the Monitor has continued to monitor compliance with the remaining SACD provisions pursuant to Section VIII of the SACD, as modified by the January 2025 stipulated order. To date, the Monitor has issued six final reports and is currently preparing a seventh report pursuant to Section VIII.D of the SACD, as modified by the January 2025 stipulated order.

As relevant here, the SACD, as modified, states that it “shall terminate on July 31, 2026, unless prior to June 1, 2026, Plaintiffs file a motion to extend the term of the SACD.” ECF No. 295 at 8 ¶ 6.¹

Consistent with the meet-and-confer requirements in section XII of the SACD, as modified, *see* ECF No. 295 at 8 ¶ 6, Plaintiffs timely notified Defendants in writing of the provisions in the SACD with which Plaintiffs contend Defendants have not substantially complied, and the parties and the Monitor then met and conferred in good faith for the purpose of resolving the parties’ disputes about Plaintiffs’ contentions.

As a result of these discussions, the parties have agreed to extend the termination date of the SACD by approximately seven months, to March 1, 2027. The extended period of time will allow the Monitor to conduct two more Jail tours and review documents from three more quarters. As of March 1, 2027, the SACD shall terminate unless Plaintiffs file a motion prior to that date to extend the term of the SACD. If Plaintiffs file such a motion, all monitoring activity and quarterly production called for in the SACD shall be suspended until the district court issues a decision on Plaintiffs’ motion. The parties have further agreed that if the Monitor does not file a ninth monitoring report

¹ All pincites refer to ECF pagination.

1 by January 2, 2027, then both the term of the SACD and Plaintiffs' deadline for filing a
2 motion to extend the term of the SACD shall be extended by the number of days by which
3 the Monitor's ninth report exceeds the January 2, 2027 deadline. It is the intent of the
4 parties that all modifications to the SACD in the January 13, 2025 stipulated order shall
5 remain in effect, except those that are inconsistent with this stipulation.

6 NOW THEREFORE, IT IS HERBY STIPULATED AND AGREED by and
7 between the parties to this action, through their undersigned counsel, as follows:

8 1. Section XII of the SACD is hereby replaced by the following language:

9 The SACD shall terminate on March 1, 2027, unless Plaintiffs file a
10 motion to extend the SACD prior to that date. If Plaintiffs file such a
11 motion, the SACD shall remain in place pending a decision by the district
12 court on Plaintiffs' motion, except that all monitoring activity, including
13 quarterly production, under the SACD shall be suspended until a decision by
14 the district court on the motion.² If the Monitor does not file its ninth
15 monitoring report by January 2, 2027, then both the term of the SACD and
16 Plaintiffs' deadline for filing a motion to extend the term of the SACD shall
17 be extended by the number of days by which the Monitor's ninth report
18 exceeds the January 2, 2027 deadline.

19 Except as set forth in Exhibit B of ECF 295, nothing in this Second
20 Amended Consent Decree shall limit the parties' rights to challenge or
21 appeal any finding as to whether Defendants are not in substantial
22 compliance with the Second Amended Consent Decree or consequent orders
23 entered by the District Court.

24 2. The first paragraph of Section VIII.C of the SACD is hereby replaced by the
25

26 ² If Plaintiffs prevail on the motion before the district court and Defendants file an appeal with the Ninth Circuit Court
27 of Appeals, monitoring and quarterly production will resume pending a final decision by the Ninth Circuit. However,
28 if Plaintiffs' motion is denied by the district court and they appeal it to the Ninth Circuit Court of Appeals monitoring
and quarterly production will remain suspended until a decision is rendered by the Ninth Circuit.

1 following language:

2 The Monitor has already conducted seven monitoring tours. The
3 Monitor shall conduct an eighth monitoring tour by no later than July 15,
4 2026, and a ninth monitoring tour by no later than November 3, 2026.

5 3. The first paragraph of Section VIII.D of the SACD is hereby replaced by the
6 following language:

7 Within thirty (30) days of each monitoring tour, the Monitor shall
8 issue a draft monitoring report that states his or her opinion as to whether
9 Defendants are in substantial compliance with the terms of the SACD and
10 shall identify those provisions, if any, with which Defendants are not in
11 substantial compliance. Within fifteen (15) days of the issuance of each
12 draft monitoring report, the Parties may provide written responses to the
13 draft monitoring report. The Monitor shall consider these responses, if any,
14 and shall issue a final monitoring report that addresses these responses no
15 later than thirty (30) days following issuance of the draft monitoring report.
16 If neither Party submits a written response to a draft monitoring report, the
17 draft report shall become the final report fifteen (15) days after issuance of
18 the draft report.

19 4. The second paragraph of Section VIII.D of the SACD is hereby replaced by
20 the following language:

21 The Monitor shall issue a minimum of nine (9) monitoring reports.
22 The Monitor has already issued six monitoring reports and is currently
23 preparing a seventh monitoring report, which shall be issued no later than
24 May 15, 2026. The Monitor shall issue an eighth monitoring report by no
25 later than September 14, 2026, and a ninth monitoring report by no later than
26 January 2, 2027.

27 5. The parties agree that this Stipulation and Proposed Order shall, pursuant to
28 Section XII of the SACD, have the same effect as if Plaintiffs had filed a motion to extend

[4870697.1]

1 the terms of the SACD, such that the SACD will remain in place until the Court rules on
2 this Stipulation and [Proposed] Order. If the Court does not enter the order but provides
3 the parties with an opportunity to submit a revised stipulation or a motion, the parties agree

4 ///

5 ///

6 ///

7 ///

8 ///

9 ///

10 ///

11 ///

12 ///

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

[4870697.1]

1 that (1) the SACD will remain in place until any deadline for submitting a revised
2 stipulation or a motion has passed and, (2) if the parties or Plaintiffs submit a revised
3 stipulation or a motion before any deadline has passed, the SACD will remain in place
4 until the Court rules on the revised stipulation or a motion.

5 IT IS SO STIPULATED.

6
7 DATED: April 30, 2026

ROSEN BIEN GALVAN & GRUNFELD LLP

8 By: /s/ Michael Freedman

9 Michael Freedman

10 Attorneys for Plaintiffs

11
12 DATED: April 30, 2026

KING HALL CIVIL RIGHTS CLINIC, U.C.
DAVIS SCHOOL OF LAW

14 By: /s/ Carter White

15 Carter White

16 Attorneys for Plaintiffs

17
18 DATED: April 30, 2026

PORTER SCOTT, P.C.

19 By: /s/Carl L. Fessenden

20 Carl Fessenden

21 Attorneys for Defendants

22
23 DATED: April 28, 2026

OFFICE OF THE YUBA COUNTY COUNSEL

24 By: /s/ Patricia Spaletta

25 Patricia Spaletta

26 Attorneys for Defendants

~~PROPOSED~~ ORDER

Pursuant to the foregoing stipulation of the parties, IT IS SO ORDERED:

1. Section XII of the SACD is hereby replaced by the following language:

The SACD shall terminate on March 1, 2027, unless Plaintiffs file a motion to extend the SACD prior to that date. If Plaintiffs file such a motion, the SACD shall remain in place pending a decision by the district court on Plaintiffs' motion, except that all monitoring activity, including quarterly production, under the SACD shall be suspended until a decision by the district court on the motion.³ If the Monitor does not file its ninth monitoring report by January 2, 2027, then both the term of the SACD and Plaintiffs' deadline for filing a motion to extend the term of the SACD shall be extended by the number of days by which the Monitor's ninth report exceeds the January 2, 2027 deadline.

Except as set forth in Exhibit B of ECF 295, nothing in this Second Amended Consent Decree shall limit the parties' rights to challenge or appeal any finding as to whether Defendants are not in substantial compliance with the Second Amended Consent Decree or consequent orders entered by the District Court.

2. The first paragraph of Section VIII.C of the SACD is hereby replaced by the following language:

The Monitor has already conducted seven monitoring tours. The Monitor shall conduct an eighth monitoring tour by no later than July 15, 2026, and a ninth monitoring tour by no later than November 3, 2026.

3. The first paragraph of Section VIII.D of the SACD is hereby replaced by the

³ If Plaintiffs prevail on the motion before the district court and Defendants file an appeal with the Ninth Circuit Court of Appeals, monitoring and quarterly production will resume pending a final decision by the Ninth Circuit. However, if Plaintiffs' motion is denied by the district court and they appeal it to the Ninth Circuit Court of Appeals monitoring and quarterly production will remain suspended until a decision is rendered by the Ninth Circuit.

1 following language:

2 Within thirty (30) days of each monitoring tour, the Monitor shall
3 issue a draft monitoring report that states his or her opinion as to whether
4 Defendants are in substantial compliance with the terms of the SACD and
5 shall identify those provisions, if any, with which Defendants are not in
6 substantial compliance. Within fifteen (15) days of the issuance of each
7 draft monitoring report, the Parties may provide written responses to the
8 draft monitoring report. The Monitor shall consider these responses, if any,
9 and shall issue a final monitoring report that addresses these responses no
10 later than thirty (30) days following issuance of the draft monitoring report.
11 If neither Party submits a written response to a draft monitoring report, the
12 draft report shall become the final report fifteen (15) days after issuance of
13 the draft report.

14 4. The second paragraph of Section VIII.D of the SACD is hereby replaced by
15 the following language:

16 The Monitor shall issue a minimum of nine (9) monitoring reports.
17 The Monitor has already issued six monitoring reports and is currently
18 preparing a seventh monitoring report, which shall be issued no later than
19 May 15, 2026. The Monitor shall issue an eighth monitoring report by no
20 later than September 14, 2026, and a ninth monitoring report by no later than
21 January 2, 2027.

22
23 IT IS SO ORDERED.

24
25 DATED: May 27, 2026

26 
27 EDMUND F. BRENNAN
28 UNITED STATES MAGISTRATE JUDGE