

PLAINTIFF/PETITIONER: LATASHA NAILAH SPEARS WINKFIELD, et al.	CASE NUMBER: RG15760730
DEFENDANT/RESPONDENT: FREDERICK S. ROSEN, M.D., et al.	

4. b. Provide a brief statement of the case, including any damages. (If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)

Plaintiffs allege medical malpractice against all defendants. Damages unknown. Discovery is continuing.

(If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. **Jury or nonjury trial**

The party or parties request a jury trial a nonjury trial. (If more than one party, provide the name of each party requesting a jury trial):

6. **Trial date**

- a. The trial has been set for (date):
- b. No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint (if not, explain): Based on the immense complexity of this matter, it is unlikely the case will be ready for trial within 12-24 months.
- c. Dates on which parties or attorneys will not be available for trial (specify dates and explain reasons for unavailability):

7. **Estimated length of trial**

The party or parties estimate that the trial will take (check one):

- a. days (specify number): 25 Days
- b. hours (short causes) (specify):

8. **Trial representation (to be answered for each party)**

The party or parties will be represented at trial by the attorney or party listed in the caption by the following:

- a. Attorney:
- b. Firm:
- c. Address:
- d. Telephone number:
- e. E-mail address:
- f. Fax number:
- g. Party represented:
- Additional representation is described in Attachment 8.

9. **Preference**

This case is entitled to preference (specify code section):

10. **Alternative dispute resolution (ADR)**

- a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 for information about the processes available through the court and community programs in this case.

(1) For parties represented by counsel: Counsel has has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.

(2) For self-represented parties: Party has has not reviewed the ADR information package identified in rule 3.221.

- b. **Referral to judicial arbitration or civil action mediation (if available).**

(1) This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.

(2) Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

(3) This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. (specify exemption): Complex medical malpractice action requiring expert witnesses. Exceeds judicial limits.

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10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form are willing to participate in the following ADR processes (<i>check all that apply</i>):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (<i>attach a copy of the parties' ADR stipulation</i>):
(1) Mediation	<input type="checkbox"/>	<input type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete mediation by (<i>date</i>): <input type="checkbox"/> Mediation completed on (<i>date</i>):
(2) Settlement conference	<input type="checkbox"/>	<input type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete settlement conference by (<i>date</i>): <input type="checkbox"/> Settlement conference completed on (<i>date</i>):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete neutral evaluation by (<i>date</i>): <input type="checkbox"/> Neutral evaluation completed on (<i>date</i>):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete judicial arbitration by (<i>date</i>): <input type="checkbox"/> Judicial arbitration completed on (<i>date</i>):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete private arbitration by (<i>date</i>): <input type="checkbox"/> Private arbitration completed on (<i>date</i>):
(6) Other (<i>specify</i>):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (<i>date</i>): <input type="checkbox"/> Agreed to complete ADR session by (<i>date</i>): <input type="checkbox"/> ADR completed on (<i>date</i>):

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11. Insurance

- a. Insurance carrier, if any, for party filing this statement (name): Sedgwick CMS
- b. Reservation of rights: Yes No
- c. Coverage issues will significantly affect resolution of this case (explain):

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

- Bankruptcy Other (specify):

Status:

13. Related cases, consolidation, and coordination

- a. There are companion, underlying, or related cases.
 - (1) Name of case:
 - (2) Name of court:
 - (3) Case number:
 - (4) Status:
- Additional cases are described in Attachment 13a.
- b. A motion to consolidate coordinate will be filed by (name party):

14. Bifurcation

- The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (specify moving party, type of motion, and reasons): The issue of brain death should be determined by the court in advance of a jury being presented with evidence of wrongful death and/or personal injury.

15. Other motions

- The party or parties expect to file the following motions before trial (specify moving party, type of motion, and issues):

Motion to bifurcate, possible motions for determination of brain death.

16. Discovery

- a. The party or parties have completed all discovery.
- b. The following discovery will be completed by the date specified (describe all anticipated discovery):

Party	Description	Date
Defendant Herrera	Written Discovery	8/2018
Defendant Herrera	Depositions of plaintiffs, witnesses and healthcare providers	2/2019
Defendant Herrera	Depositions of expert witnesses	Per Code

- c. The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (specify):

The videos taken of Jahi McMath by her family were produced to Plaintiffs' expert but Plaintiffs' counsel has refused to produce all of the videos.

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17. Economic litigation

- a. This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

18. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference (specify):
Based on the Court's decision to deny defendants' motion for summary adjudication, with mention of possible need for an examination of brain death in accord with the Guidelines, this should be discussed further at the case management conference.

19. Meet and confer

- a. The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):

20. Total number of pages attached (if any): _____

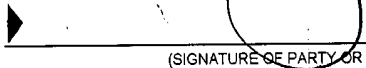
I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: November 28, 2017

SARAH C. GOSLING, ESQ. _____
(TYPE OR PRINT NAME)

 _____
(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

 _____
(SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached.

TRIAL CALENDAR

November 27, 2017

<u>DATE</u>	<u>CASE</u>	<u># DAYS</u>	<u>VENUE</u>
1/16/18	Bolden v. Verder-Bautista	10	Yolo
1/22/18	Ma v. Dignity	10	Yolo
2/12/18	Yenick v. Rand	10	Washoe - Dept. 15
2/27/18	Schlagel v. Elk Grove	10	Sacto
3/12/18	Lopinto v. Holden	15	Clark
4/6/18	Harris v. Regents#2	10	Alameda
4/9/18	Castaneda v. Swanson	10	El Dorado
4/16/18	Center v. Rives	10	Clark - Dept. 18
5/7/18	Baxter v. Dignity	20 days	Clark Dept. 29
5/7/18	Morter v. Seiff	10	Clark Dept. 32
5/7/18	Scott v. Foote	10	Clark - Dept. 20
5/24/18	Brown v. Weiner	10	Solano
6/4/18	Zuhlke v. Rand	10	Washoe - Dept. 4
6/18/18	England v. Dignity	10	Yolo - Dept. 5
6/18/18	Millman v. Ellis	5	Binding Arb
6/18/18	Cheng v. Spring Valley	10	Clark - Dept. 29
6/25/18	DeSantis v. Mojtabavi	10	Clark - Dept. 31
6/25/18	Washington v. UMC	10	Clark - Dept. 12
7/9/18	Farris v. Rives	10	Clark - Dept. 26
7/9/18	Wood v. Joyner	10	Sacto
7/10/18	Sequeira v. Northern	10	Stanislaus
7/23/18	Olenak v. Sutter	10	Placer
7/30/18	Robinson v. Dignity	10	Clark - Dept. 4

8/20/18	Ma v. Dignity - hold	10	Yolo
8/27/18	Brown v. Preston	5	Washoe
9/10/18	Johncock v. UMC	15	Clark - Dept. 24
9/11/18	Sims v. Vohra	10	Clark - Dept. 31
9/17/18	Patrick v. Kim	10	Clark - Dept. 8
10/1/18	Phillips v. Wellspace	10	Sacto
10/1/18	McCurry v. Raps	10	Clark Dept. 12 - Leavitt
10/2/18	Rodriguez v. Sutter	10	Solano
10/26/18	Stinnett v. Sutter	10	Sonoma
11/2/18	Mehawk v. Christian	10	Solano
11/12/18	Adan v. Wong - hold	10	Yolo

2019

1/7/19	Chicarelli v. North Vista	10	Clark
2/4/19	Ward v. Co. Mendocino	10	USDC Northern - Oakland
3/4/19	Winfrey v. Michelson	10	El Dorado-S. Lake Tahoe

PROOF OF SERVICE BY MAIL
(CCP 1013; CRC 10.503; 2.100-2.119)

I, Beth Mitchell, declare:

I am over the age of eighteen years and not a party to the within cause; am employed in the County of Sacramento, California; and my business address is 400 University Avenue, Sacramento, California 95825-6502.

On November 28, 2017, I served the within CASE MANAGEMENT STATEMENT, which was produced on recycled paper, on the parties in said cause by placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Sacramento, California, addressed as follows:

Attorney	Representing	Phone/Fax/E-Mail
Bruce M. Brusavich, Esq. AGNEW BRUSAVICH 20355 Hawthorne Blvd., 2 nd Floor Torrance, CA 90503	Plaintiffs	310/793-1400
Andrew N. Chang, Esq. ESNER CHANG & BOYER 234 East Colorado Blvd., Ste. 975 Pasadena, CA 91101	Associate Attorney for Plaintiffs LATASHA NAILAH SPEARS WINKFIELD; SANDRA CHATMAN, etc.	626/535-9860 Fax: 626/535-9859 E: achang@ecbappeal.com
Thomas E. Still, Esq. HINSHAW MARSH STILL 12901 Saratoga Avenue Saratoga, CA 95070-9998	Defendant FREDERICK S. ROSEN, M.D.	408/861-6500 Fax: 408/257-6645
Richard Carroll, Esq. CARROLL, KELLY, TROTTER, FRANZEN, McKENNA & PEABODY 111 West Ocean Blvd., 14 th Flr. Long Beach, CA 90802	Defendant UCSF BENIOFF CHILDREN'S HOSPITAL OAKLAND	562/432-5855 Fax: 562/432-8785 rdcarroll@cktfmlaw.com
Kenneth R. Pedroza, Esq. COLE PEDROZA, LLP 2670 Mission St., Ste. 200 San Marino, CA 91108	Defendant UCSF BENIOFF CHILDREN'S HOSPITAL OAKLAND	626/431-2787 Fax: 626/431-2788

Attorney

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Walnut Creek, CA 94596-3879

Representing

Defendant JAMES PATRICK
HOWARD, M.D., Ph.D.
(DOE 1)

Phone/Fax/E-Mail

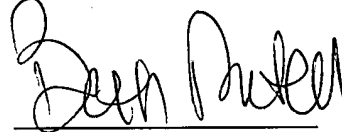
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WESMAN, M.D.

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robert.hodges@mcnamaralaw.com

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on November 28, 2017, at Sacramento, California.



Beth Mitchell
1597-10724