

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Christina A. Snyder and the assigned discovery Magistrate Judge is Charles Eick.

The case number on all documents filed with the Court should read as follows:

**CV09- 722 CAS (Ex)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

===== :  
**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

**Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

**Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

**Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

FILED

2009 JAN 29 PM 3:00  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY \_\_\_\_\_

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CALIFORNIA PHARMACISTS  
ASSOCIATION, ET AL.**

PLAINTIFF(S)

v.

**DAVID MAXWELL-JOLLY, ETC.**

DEFENDANT(S).

CASE NUMBER

**CV09- 722 CAS (Ex)**

**NOTICE TO PARTIES OF ADR PILOT  
PROGRAM**

Dear Counsel,

The district judge to whom the above-referenced case has been assigned is participating in an ADR Pilot Program. All counsel of record are directed to jointly complete the attached ADR Pilot Program Questionnaire, and plaintiff's counsel (or defendant in a removal case) is directed to concurrently file the Questionnaire with the report required under Federal Rules of Civil Procedure 26(f).

Clerk, U.S. District Court

01/29/09

Date

By: LHORN

Deputy Clerk

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CALIFORNIA PHARMACISTS ASSOCIATION, ET AL.**  
PLAINTIFF(S)

V.

**DAVID MAXWELL-JOLLY, ETC.**  
DEFENDANT(S).

CASE NUMBER

**CV09- 722 CAS (Ex)**

**ADR PILOT PROGRAM QUESTIONNAIRE**

(1) What, if any, discovery do the parties believe is essential in order to prepare adequately for a settlement conference or mediation? Please outline with specificity the type(s) of discovery and proposed completion date(s). Please outline any areas of disagreement in this regard. Your designations do not limit the discovery that you will be able to take in the event this case does not settle.

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(2) What are the damage amounts being claimed by each plaintiff? Identify the categories of damage claimed [e.g., lost profits, medical expenses (past and future), lost wages (past and future), emotional distress, damage to reputation, etc.] and the portion of the total damages claimed attributed to each category.

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(3) Do the parties agree to utilize a private mediator in lieu of the court's ADR Pilot Program?

Yes  No

(4) If this case is in category civil rights - employment (442), check all boxes that describe the legal bases of plaintiff claim(s).

- |  |   |
|--|---|
| <input type="checkbox"/> Title VII                               | <input type="checkbox"/> Age Discrimination                         |
| <input type="checkbox"/> 42 U.S.C. section 1983                  | <input type="checkbox"/> California Fair Employment and Housing Act |
| <input type="checkbox"/> Americans with Disabilities Act of 1990 | <input type="checkbox"/> Rehabilitation Act                         |
| <input type="checkbox"/> Other _____                             |   |

I hereby certify that all parties have discussed and agree that the above-mentioned responses are true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney for Plaintiff (Signature)

\_\_\_\_\_  
Attorney for Plaintiff (Please print full name)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney for Defendant (Signature)

\_\_\_\_\_  
Attorney for Defendant (Please print full name)

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**I (a) PLAINTIFFS** (Check box if you are representing yourself )  
 CALIFORNIA PHARMACISTS ASSOCIATION;  
 CALIFORNIA MEDICAL ASSOCIATION; CALIFORNIA  
 DENTAL ASSOCIATION; CALIFORNIA HOSPITAL  
 ASSOCIATION; CALIFORNIA ASSOCIATION FOR ADULT  
 DAY SERVICES; MARIN APOTHECARY, INC. d/b/a ROSS  
 VALLEY PHARMACY; SOUTH SACRAMENTO  
 PHARMACY; FARMACIA REMEDIOS, INC.; ACACIA  
 ADULT DAY SERVICES; SHARP MEMORIAL HOSPITAL;  
 GROSSMONT HOSPITAL CORPORATION; SHARP CHULA  
 VISTA MEDICAL CENTER; SHARP CORONADO  
 HOSPITAL AND HEALTHCARE CENTER; FEY GARCIA  
 and CHARLES GALLAGHER,

**DEFENDANTS**  
 DAVID MAXWELL-JOLLY, DIRECTOR OF THE CALIFORNIA  
 DEPARTMENT OF HEALTH CARE SERVICES;

COPY

**(b) Attorneys** (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  
 Craig J. Cannizzo, Felicia Y Sze and Michael A. Dubin  
 HOOPER, LUNDY AND BOOKMAN, INC., 575 Market Street,  
 Ste. 2300, San Francisco, CA 94105 (415) 875-8500  
 Byron J. Gross, Lloyd A. Bookman and Jordan B. Keville  
 HOOPER, LUNDY AND BOOKMAN, INC.  
 1875 Century Park East, Ste 1600  
 Los Angeles, CA 90067  
 (310) 551-8111

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an X in one box only.)

- 1 U.S. Government Plaintiff  
 2 U.S. Government Defendant  
 3 Federal Question (U.S. Government Not a Party)  
 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only**  
 (Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. ORIGIN** (Place an X in one box only.)

- 1 Original Proceeding  
 2 Removed from State Court  
 3 Remanded from Appellate Court  
 4 Reinstated or Reopened  
 5 Transferred from another district (specify):  
 6 Multi-District Litigation  
 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT: JURY DEMAND:**  Yes  No (Check 'Yes' only if demanded in complaint.)

**CLASS ACTION** under F.R.C.P. 23:  Yes  No **MONEY DEMANDED IN COMPLAINT:** \$ 0.00

**VI. CAUSE OF ACTION** (Cite the U. S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 Plaintiff claims that Defendant's AB 1183 rate reductions violate, among other things, the federal Medicaid Act, 42 U.S.C. ss. 1396a(a)(30(A), 1396a(a)(8), 1396a(a)(13)(A) and 42 C.F.R. ss. 447.204 and 447.205.

**VII. NATURE OF SUIT** (Place an X in one box only.)

CV09-00722

COPY

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2009 JAN 29 PM 2:57

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY

1 CRAIG J. CANNIZZO (State Bar No. 70379)  
 MICHAEL A. DUBIN (State Bar No. 212581)  
 2 FELICIA Y. SZE (State Bar No. 233441)  
**HOOPER, LUNDY & BOOKMAN, INC.**  
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 San Francisco, CA 94105  
 4 Telephone: (415) 875-8500  
 Facsimile: (415) 875-8519  
 5 E-Mail: ccannizzo@health-law.com

6 BYRON J. GROSS (State Bar No. 76626 )  
 LLOYD A. BOOKMAN (State Bar No. 89251)  
 7 JORDAN B. KEVILLE (State Bar No. 217868)  
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 8 1875 Century Park East, Suite 1600  
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 9 Telephone: (310) 551-8111  
 Facsimile: (310) 551-8181

10 Attorneys for Plaintiffs

11

12 **UNITED STATES DISTRICT COURT**

13 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

CV 09-00722 CAS

CASE NO.

(Ex)

COMPLAINT

15 CALIFORNIA PHARMACISTS  
 ASSOCIATION; CALIFORNIA MEDICAL  
 16 ASSOCIATION; CALIFORNIA DENTAL  
 ASSOCIATION; CALIFORNIA HOSPITAL  
 17 ASSOCIATION; CALIFORNIA  
 ASSOCIATION FOR ADULT DAY  
 18 SERVICES; MARIN APOTHECARY, INC.  
 d/b/a ROSS VALLEY PHARMACY; SOUTH  
 19 SACRAMENTO PHARMACY; FARMACIA  
 REMEDIOS, INC.; ACACIA ADULT DAY  
 20 SERVICES; SHARP MEMORIAL HOSPITAL;  
 GROSSMONT HOSPITAL CORPORATION;  
 21 SHARP CHULA VISTA MEDICAL CENTER;  
 SHARP CORONADO HOSPITAL AND  
 22 HEALTHCARE CENTER; FEY GARCIA and  
 CHARLES GALLAGHER,

23 Plaintiffs,

24 vs.

25 DAVID MAXWELL-JOLLY, DIRECTOR OF  
 26 THE CALIFORNIA DEPARTMENT OF  
 HEALTH CARE SERVICES;

27 Defendant.

HOOPER, LUNDY & BOOKMAN, INC.  
 1875 CENTURY PARK EAST, SUITE 1600  
 LOS ANGELES, CALIFORNIA 90067-2517  
 TEL: (310) 551-8111 • FAX: (310) 551-8181

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10 Attorneys for Plaintiffs

11  
12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

14  
15 CALIFORNIA PHARMACISTS  
16 ASSOCIATION, *et al.*,

17 Plaintiffs,

18 vs.

19 DAVID MAXWELL-JOLLY,  
20 DIRECTOR OF THE CALIFORNIA  
DEPARTMENT OF HEALTH CARE  
SERVICES,

21 Defendant.

CV09-00722 CAS (EX)  
CASE NO.

**CERTIFICATE AND NOTICE OF  
INTERESTED PARTIES (Local Rule  
7.1-1)**

22  
23  
24 The undersigned, counsel of record for Plaintiffs CALIFORNIA  
25 PHARMACISTS ASSOCIATION, CALIFORNIA MEDICAL ASSOCIATION,  
26 CALIFORNIA DENTAL ASSOCIATION, CALIFORNIA HOSPITAL  
27 ASSOCIATION, CALIFORNIA ASSOCIATION FOR ADULT DAY SERVICES,  
28 MARIN APOTHECARY, INC. d/b/a ROSS VALLEY PHARMACY, SOUTH

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2009 JAN 29 PM 2:57  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

HOOPER, LUNDY & BOOKMAN, INC.  
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SAN FRANCISCO, CALIFORNIA 94105  
TEL: (415) 875-8500 • FAX: (415) 875-8519

1 SACRAMENTO PHARMACY, FARMACIA REMEDIOS, INC., ACACIA  
 2 ADULT DAY SERVICES, SHARP MEMORIAL HOSPITAL, GROSSMONT  
 3 HOSPITAL CORPORATION, SHARP CHULA VISTA MEDICAL CENTER,  
 4 SHARP CORONADO HOSPITAL AND HEALTHCARE CENTER, FEY  
 5 GARCIA, and CHARLES GALLAGHER, certifies that the following listed party  
 6 (or parties) may have a pecuniary interest in the outcome of this case. These  
 7 representations are made pursuant to L.R. 7.1-1 to enable the Court to evaluate  
 8 possible disqualification or recusal.

9 PARTY

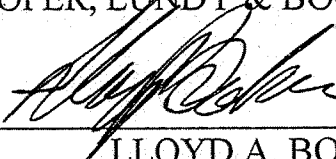
CONNECTION

10 Marin Apothecary, Inc. d/b/a Ross Valley Pharmacy	Paul Lofholm and Rebecca Lofholm, husband and wife, owners
11 South Sacramento Pharmacy	Frank Cable, owner
12 Farmacia Remedios, Inc.	Gregory Tertes, director and operator

14 Plaintiff further certifies that there is no parent corporation or other publicly  
 15 held corporation that owns 10% or more of stock in any of Plaintiffs. However, the  
 16 Court should be aware that, because Plaintiffs' lawsuit is seeking to invalidate a  
 17 statute that imposes a broad reduction in the payment rates for health care services  
 18 under California's Medicaid program, Medi-Cal, virtually every physician, hospital,  
 19 adult day health care center and pharmacy in the State of California that participates  
 20 in the Medi-Cal program has a pecuniary interest in the outcome of this case. As  
 21 there are thousands of parties with a potential interest in this litigation, it would be  
 22 unduly burdensome for Plaintiffs to name each of those parties individually.

23 DATED: January 29, 2008

HOOPER, LUNDY & BOOKMAN, INC.

24  
 25 By:   
 26 LLOYD A. BOOKMAN  
 Attorneys for Plaintiffs

27  
 28

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14 Attorneys for Plaintiffs

BY \_\_\_\_\_  
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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

FILED

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13 CV09-00722 CAS (Ex)

14 CASE NO.

15 CALIFORNIA PHARMACISTS  
16 ASSOCIATION, *et al.*,

17 Plaintiffs,

18 vs.

19 DAVID MAXWELL-JOLLY,  
20 DIRECTOR OF THE CALIFORNIA  
21 DEPARTMENT OF HEALTH CARE  
22 SERVICES,

23 Defendant.

24 NOTICE OF RELATED CASES  
25 [Local Rule 83-1.3]

26 Plaintiffs CALIFORNIA PHARMACISTS ASSOCIATION, CALIFORNIA  
27 MEDICAL ASSOCIATION, CALIFORNIA DENTAL ASSOCIATION,  
28 CALIFORNIA HOSPITAL ASSOCIATION, CALIFORNIA ASSOCIATION FOR  
ADULT DAY SERVICES, MARIN APOTHECARY, INC. d/b/a ROSS VALLEY  
PHARMACY, SOUTH SACRAMENTO PHARMACY, FARMACIA  
REMEDIOS, INC., ACACIA ADULT DAY SERVICES, SHARP MEMORIAL

HOOPER, LUNDY & BOOKMAN INC.  
Craig J. Cannizzo (State Bar No. 70379)  
575 Market Street, 23<sup>rd</sup> Floor  
San Francisco, California 94105  
Telephone: 415.875.8500  
Lloyd A. Bookman (State Bar No. 89251)  
1875 Century Park East, #1600  
Los Angeles, California 90067

ORIGINAL

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

California Pharmacists Association; California Medical Association; California Dental Association; California Hospital Association; California Association for Adult Day Services; Marin Apothecary, Inc. d/b/a Ross Valley Pharmacy; South Sacramento Pharmacy; Farmacia Remedios, Inc.; Acacia Adult Day Services; Sharp Memorial Hospital; Grossmont Hospital Corporation; Sharp Chula Vista Medical Center; Sharp Coronado Hospital and Healthcare Center; Fey Garcia and Charles Gallagher  
PLAINTIFF(S)

CASE NUMBER

CV09-00722 CAS (Ex)

v.

David Maxwell-Jolly, Director of the California Department of Health Care Services,  
DEFENDANT(S).

SUMMONS

TO:DEFENDANT(S): David Maxwell-Jolly, Director of the California Department of Health Care Services

A lawsuit has been filed against you.

Within twenty (20) days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached  complaint  amended complaint  counterclaim  cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Craig J. Cannizzo, whose address is 575 Market Street, Suite 2300, San Francisco, CA 94105. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk U.S. District Court

Dated: JAN 29 2009

By: 

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

HOOPER, LUNDY & BOOKMAN INC.  
Craig J. Cannizzo (State Bar No. 70379)  
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COPY

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

California Pharmacists Association; California Medical Association; California Dental Association; California Hospital Association; California Association for Adult Day Services; Marin Apothecary, Inc. d/b/a Ross Valley Pharmacy; South Sacramento Pharmacy; Farmacia Remedios, Inc.; Acacia Adult Day Services; Sharp Memorial Hospital; Grossmont Hospital Corporation; Sharp Chula Vista Medical Center; Sharp Coronado Hospital and Healthcare Center; Fey Garcia and Charles Gallagher  
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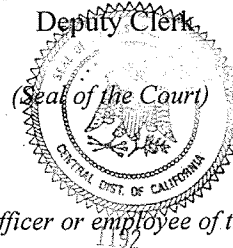
Clerk, U.S. District Court

LA'REE HORN

Dated: JAN 29 2009

By: \_\_\_\_\_

Deputy Clerk



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].