

1 NICOLA T. HANNA  
 United States Attorney  
 2 DAVID M. HARRIS  
 Assistant United States Attorney  
 3 Chief, Civil Division  
 JOANNE S. OSINOFF  
 4 Assistant United States Attorney  
 Chief, General Civil Section  
 5 KEITH M. STAUB (Cal. Bar No. 137909)  
 CHUNG H. HAN (Cal. Bar No. 191757)  
 6 DANIEL A. BECK (Cal. Bar No. 204496)  
 JASMIN YANG (Cal. Bar No. 255254)  
 7 PAUL B. GREEN (Cal. Bar No. 300847)  
 Assistant United States Attorney  
 8 Federal Building, Suite 7516  
 300 North Los Angeles Street  
 9 Los Angeles, California 90012  
 Telephone: (213) 894-7423  
 10 Facsimile: (213) 894-7819  
 E-mail: Keith.Staub@usdoj.gov  
 11 Chung.Han@usdoj.gov  
 Jasmin.Yang@usdoj.gov  
 12 Daniel.Beck@usdoj.gov  
 Paul.Green@usdoj.gov

13 Attorneys for Respondents  
 14 Felicia L. Ponce and Michael Carvajal

15 **UNITED STATES DISTRICT COURT**  
 16 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

17 YONNEDIL CARROR TORRES;  
 18 VINCENT REED; FELIX SAMUEL  
 GARCIA; ANDRE BROWN; and  
 19 SHAWN L. FEARS, individually and  
 on behalf of all others similarly situated,

20 Plaintiff-Petitioners,

21 vs.

22 LOUIS MILUSNIC, in his capacity as  
 23 Warden of Lompoc; and MICHAEL  
 CARVAJAL, in his capacity as Director  
 24 of the Bureau of Prisons,

25 Defendant-Respondents.

CASE NO. 2:20-cv-04450-CBM-PVCx

**JOINT STIPULATION RE SITE  
 VISIT BY RULE 706 EXPERT**

**[Proposed] Order Filed Herewith**

Assigned to Hon. Consuelo B. Marshall  
 Courtroom 8B

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1 Pursuant to the Court's Order (ECF No. 69), the parties met and conferred  
2 with Dr. Homer Venters about the time, date and arrangements for his inspection of  
3 FCI Lompoc, and also the deadline for filing his report. The parties filed opposing  
4 statements on August 14, 2020 (ECF Nos. 70 and 71), but have subsequently  
5 conferred further. Based on those discussions, the parties agree to the following:

- 6 1. The site inspection shall occur on September 1 and 2, 2020.
- 7 2. Upon request by Dr. Venters, Defendant-Respondents will make staff  
8 available to answer Dr. Venters' questions regarding health care and the  
9 institution's Covid-19 response, including health care and custody staff.  
10 Dr. Venters may interview other staff encountered on the tour as well. The  
11 inspector may interview prisoners, with their permission. These interviews  
12 may be confidential at the request of Dr. Venters or the prisoner.
- 13 3. During the site visit, photographs may be taken. All photographs will be  
14 taken by Lompoc staff with Respondents' digital camera, based on the  
15 direction of Dr. Venters. Photographs may be taken of staff and inmates  
16 only if they are not close enough to be recognizable, or do not include  
17 faces or nametags, as this presents privacy and security concerns.  
18 Photographs may further be blurred to ensure that no person is identifiable.  
19 Following the inspection, Respondents will review the photographs and  
20 will release them to Petitioners within five days of the inspection, aside  
21 from any photographs that present security concerns. If any photographs  
22 present security concerns, the parties will meet and confer and attempt to  
23 resolve those concerns; the parties will raise any issue they cannot resolve  
24 with the Court. The parties may further file a protective order regarding  
25 the photographs taken during the site visit.
- 26 4. Upon request by Dr. Venters, Defendant-Respondents will provide Dr.  
27 Venters with documentation requested by him, subject to any objections  
28 by either party. Any objection shall be made by written communication to

1 the opposing party and the opposing party may challenge any objection by  
2 appropriate pleading filed with the Court. Any inmate health records  
3 provided by Respondents to Dr. Venters will not be disclosed to any other  
4 person or party, except petitioners' counsel. The parties may further file a  
5 protective order regarding documentation requested by Dr. Venters. Any  
6 requests for documentation must be initiated by Dr. Venters. The parties  
7 will meet and confer about any disputes about documentation, and if they  
8 reach an impasse on the issue, they may raise it with the Court.

- 9 5. On the site visit, Dr. Venters may walk through and observe all facilities,  
10 including but not limited to housing units, recreation areas, clinical space  
11 used for the provision of health care services, medication distribution  
12 areas, intake or screening areas, and infirmaries or other inpatient or  
13 outpatient health care facilities.
- 14 6. Dr. Venters will submit a report of his findings by no later than September  
15 30, 2020. The parties may agree on other dates without seeking a  
16 stipulation from the Court.
- 17 7. Dr. Venters has been appointed as an expert under Federal Rule of  
18 Evidence 706. As such, *ex parte* communications between Dr. Venters and  
19 the parties' counsel regarding this case or Lompoc are prohibited. Any  
20 communications or calls between Dr. Venters and the parties' counsel  
21 must include counsel for both Petitioners and Respondents. This limitation  
22 does not prevent Dr. Venters from having any discussions with prison staff  
23 at Lompoc.

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1 *Local Rule 5-4.3.4(a)(2)(i) Compliance: Filer attests that all other*  
2 *signatories listed concur in the filing's content and have authorized this filing.*

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DATED: August 17, 2020

Donald Specter  
Sara Norman  
Prison Law Office

By:           /s/ Donald Specter            
Donald Specter  
Attorneys for Plaintiff-Petitioners

Dated: August 17, 2020

Respectfully submitted,  
  
NICOLA T. HANNA  
United States Attorney  
DAVID M. HARRIS  
Assistant United States Attorney  
Chief, Civil Division  
JOANNE S. OSINOFF  
Assistant United States Attorney  
Chief, General Civil Section

          /s/ Daniel A. Beck            
KEITH M. STAUB  
CHUNG H. HAN  
DANIEL A. BECK  
JASMIN YANG  
PAUL B. GREEN

Assistant United States Attorneys  
Attorneys for Respondents