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4 **UNITED STATES DISTRICT COURT**
5 **NORTHERN DISTRICT OF CALIFORNIA**
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7 ASHOK BABU, and others,

8 Plaintiffs,

9 v.

10 SHERIFF GREGORY AHERN, and others,

11 Defendants.

Case No. 18-cv-007677 NC

**ORDER AFTER HEARING RE:
SANTA RITA JAIL COVID-19
RESPONSE**

March 30, 2020, 9:00 a.m. telephonic

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13 The Court has considered the information reported to the Court in the March 27 joint
14 status report (ECF 81) and March 30 hearing concerning the Santa Rita Jail COVID-19
15 response. The Court orders as follows:

16 1. Defendants must continue to take the actions described and provide Plaintiffs'
17 class counsel with the updates set forth in the status report ECF 81 at items 1-21.

18 2. Wellpath, the contracted provider for medical care at SRJ, is ordered by March
19 31 at noon to produce the current SRJ Master Outbreak Control Plan to plaintiffs' class
20 counsel in this case, the Alameda County Public Defender, N.D. Cal. Federal Public
21 Defender, CJA Supervising attorney Diana Weiss, the United States Attorney and the
22 undersigned. This production is not subject to protective order.

23 3. Wellpath also is ordered to produce by March 31 at noon to plaintiffs' class
24 counsel and Alameda County counsel only the current "procedures and instructions for
25 Wellpath's initial risk assessment for arrestees entering SRJ." ECF 81-1 ¶c. This
26 production is regulated by the protective order in this case, ECF 30. If other entities wish to
27 access these documents, the parties including Wellpath must meet and confer to discuss
28 whether there is good cause for wider distribution. Additional people and entities may be

1 added to the protective order. As to both categories of documents discussed in this order,
2 the Court finds that there is good cause for this third-party production and that it is
3 proportional to the needs of the case. No costs or fees are awarded.


4 4. Defendants are to consider how to provide regular updates to the Court,
5 Plaintiffs' class counsel and other justice stakeholders as to the SRJ COVID-19 response
6 status, including information on pod quarantines, intake screening, policies for visits by
7 counsel and family, and communication by phone and video. The Court recommends a
8 daily public report. The Court will follow up on this topic on April 2.

9 5. Parties are to continue meet and confer process as to costs and cost waivers for
10 phone and video calls from and to class members.

11 A further status hearing is set on April 2 at 9:00 a.m. and will be by telephone only.
12 A transcript will be created. All participants, as well as the public, may participate by
13 calling 888.684.8852, and entering access code 1557087.

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15 IT IS SO ORDERED.

16 Date: March 30, 2020

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19 Nathanael M. Cousins
20 United States Magistrate Judge
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