

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
(WESTERN DIVISION - LOS ANGELES)

LA ALLIANCE FOR HUMAN RIGHTS,)	CASE NO: 2:20-cv-02291-DOC-KESx
ET AL.,)	
Plaintiffs,)	CIVIL
vs.)	Los Angeles, California
)	Wednesday, September 30, 2026
CITY OF LOS ANGELES, ET AL.,)	
)	(8:31 a.m. to 9:23 a.m.)
Defendants.)	(12:45 p.m. to 1:03 p.m.)

STATUS CONFERENCE RE DISPUTE RESOLUTION

BEFORE THE HONORABLE DAVID O. CARTER,
UNITED STATES DISTRICT JUDGE,
PRESIDING

APPEARANCES: SEE PAGE 2

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Special Master: JUSTICE TOM GOETHALS

Los Angeles, CA; Wednesday, September 30, 2026; 8:31 a.m.

--oOo--

THE COURT: All right. The first matter I'd like to call into session is Case No. 20-02291, LA Alliance for Human Rights versus The City of Los Angeles. And then, counsel, just remain seated, but if you'd make your appearances.

MS. MITCHELL: Good morning, Your Honor, Elizabeth Mitchell at Umhofer Mitchell and King on behalf of plaintiff LA Alliance for Human Rights.

MR. SARNOFF: Good morning, Your Honor, Zachary Sarnoff, Miller Barondess on behalf of the County of Los Angeles.

MR. SOMMER: Good morning, Your Honor, Randall Sommer on behalf of the City of Los Angeles.

THE COURT: Thank you.

MR. HAMBURGER: Good morning, Your Honor, Bradley Hamburger on behalf of the City of Los Angeles.

MR. ROTSTEIN: Jimmy Rotstein of Gipson Dunn on behalf of the City, good morning, Your Honor.

MS. SWEETSER: Good morning, Your Honor, Catherine Sweetser from Schonbrum Seplow on behalf of the intervenors.

THE COURT: All right. I'm going to call the next matter in short order, so I appreciate the United States Attorney being present this morning. I want to recognize you and appreciate your courtesy.

1 I want to begin this morning on the LA Alliance case
2 with just some initial thoughts by the Court. I want to make
3 sure that we're all on the same page and hopefully moving
4 forward in the same direction. I've read all of the e-mails
5 that you've interchanged with my Special Master Michelle
6 Martinez and the conversations that have occurred between
7 counsel in preparation for this status conference. And I've
8 also spoken about this both with Justice Goethals as well.

9 For several years now, this Court's been doing its
10 best to ensure that the money allocated to deal with local
11 people who are experiencing homelessness is spent efficiently
12 and in the way that Congress has intended, to prevent waste and
13 fraud.

14 A critical part of that process for this Court has
15 been to try to verify the statistics and other information
16 received from all the parties. For example, the data provided
17 by the parties in their quarterly reports to the Court.

18 My special masters and I discussed this issue with me
19 literally almost every day, some of those hours aren't even
20 noted on the billings to you. I'm still concerned that the
21 data that I'm receiving from the parties cannot be verified and
22 therefore may be inaccurate.

23 I'm not suggesting that anyone is acting in bad faith
24 or is intentionally misleading the Court. But I've often come
25 to wonder over these last years whether the information

1 provided to me by counsel is accurate, and whether counsel know
2 whether it's accurate. In other words, agencies or other
3 people are giving you the information respectively that you're
4 passing on to the Court. But you yourselves may not know if
5 it's accurate, you're assuming that it is and I recognize
6 you're just doing your job as advocates.

7 This Court's not willing based on the events that
8 have occurred in the past to assume that the data is accurate.
9 So here we are for another status conference. And I'm going to
10 begin by asking LA Alliance, I want to ask you first simply
11 where do we go from here? What have you learned during the
12 last three listening sessions, if anything, that you've had
13 with the LA City Council Districts and have had some of that
14 from my special master.

15 Are you planning to file a motion, and remember that
16 I asked you at the last hearing to please file a motion so that
17 it could be heard on October 27th. And I've seen some of that
18 e-mail exchange about the time and potentially going over to
19 November, depending on what your discussions were.

20 So let me begin with you and then I'm going to turn
21 to the County next, so you're prepared, then the intervenors
22 and then back to the City.

23 **MS. MITCHELL:** Thank you, Your Honor. If you have
24 read the e-mails going back and forth I don't need to get into
25 extreme detail --

1 **THE COURT:** No, I want you to get into detail.

2 Remember I'm reading them but sometimes it's 2 o'clock in the
3 morning.

4 **MS. MITCHELL:** No, and I appreciate that and I would
5 like to restate for the record as well, Your Honor.

6 So obviously we were here on August 26th. Since then
7 the parties have held two listening sessions, we've filed two
8 joint reports, we've exchanged some correspondence obviously
9 including yesterday. I think there has been some real progress
10 on two issues. There has been no progress on two other issues.

11 And so --

12 **THE COURT:** Progress on the two issues so I have a
13 clear record, and state your concerns on the other two issues.

14 **MS. MITCHELL:** Yes, Your Honor. On the mental health
15 and SUD beds, the County is required to establish 3,000 new
16 mental health and SUD beds. As this Court knows, we have been
17 asking for verification that those are, in fact, new beds --

18 **THE COURT:** And then an additional 500 for the
19 elderly.

20 **MS. MITCHELL:** An additional 450, Your Honor, thank
21 you.

22 **THE COURT:** 450.

23 **MS. MITCHELL:** Enriched residential care beds I think
24 is what they're called. We have been asking for confirmation
25 those are new beds, not just some shut down and others are

1 raised, in other words, shuffling chairs around.

2 And for the first time yesterday at 4:37 the County
3 gave us numbers. It says that the mental health and SUD bed
4 network was 4,692 beds on June 14th, 2022 and is 8,030 today.
5 And that without the Alliance beds it would only be 4,734.

6 So if that is true, if we see the data it answers the
7 question. Obviously all we've seen to date is an e-mail and
8 not the data. The County has asked to present us with the data
9 by October 14th in a presentation, because I think they need to
10 explain some things I guess.

11 I think we would like the data ahead of time so that
12 we can actually see it and ask questions on October 14th.
13 Either way, it's not ripe today. I think we need to see that
14 data, we need to understand where they're getting their numbers
15 from and verify that they are accurate. And if they are not,
16 we will bring it to the Court. If they are, obviously we will
17 say so.

18 That's the update on the mental health beds. So on
19 the second issue that was raised by this Court on August 26th
20 when we were here last was the bed verifications. And the
21 Court had raised this issue that the special masters were
22 having a very difficult time getting in to see the beds,
23 identifying the beds, the County is claiming HIPAA issues, et
24 cetera.

25 The County had offered this like pilot project

1 facilitator, I don't have any insight into whether that's
2 happened. I've asked for verification. I've been told that
3 they will work with the special master directly, so I can't
4 report on that. Obviously if there are still issues, I think a
5 court order is appropriate and necessary to move that forward,
6 given that all beds are supposed to be on line by December
7 31st.

8 So the next thing that we raised was direct access to
9 county departments for city funded outreach workers. And that
10 is what two of the listening sessions really focused on. The
11 second listening session was actually only outreach workers, it
12 didn't involve any interim or PSH service providers. I don't
13 know why.

14 So the first one, we were in CD6 and in the second
15 one, we were in CD2. I do think that both of those were
16 helpful in explaining some of the things. So some of the low
17 referral numbers that we're seeing in Exhibit E that has been
18 coming in, like atrociously low numbers, we've heard that
19 workers, outreach workers have found the referral process in
20 the county to be very slow and cumbersome. And so what they
21 have done is made relationships and gone outside the system and
22 those aren't being recorded as referrals.

23 The other issue that we have heard, I think that the
24 City's funded outreach worker list isn't up to date, so those
25 aren't being recorded and it sounds like that's going to be

1 happening hopefully in the next week or so.

2 There's also times when outreach workers are walking
3 people directly into facilities, which seems to be a much more
4 helpful and productive thing, but those aren't being recorded
5 as well.

6 Other thing that we have learned, I think it is
7 confirmed what the Court heard in Council Member Rodriguez's
8 letter and then what we've also seen over the last couple of
9 years is that DMH referrals are not direct access, Your Honor.
10 And we've said this from the beginning.

11 What is happening is you have outreach workers on the
12 street that are submitting referrals through an on line portal,
13 sometimes through fax machines, e-mails, it can take six to
14 eight days to even get a confirmation, if that confirmation
15 ever responds, or ever comes at all.

16 They can't get any follow up to find out what's
17 happening with their client, even when they have signed forms
18 that give permission to get that information.

19 HOME, which has been a successful program, but those
20 pathways can take months. Workers often get no outcome
21 updates. And, in fact, Your Honor, if the Court read the joint
22 report that we filed the last time, which I'm sure the Court
23 did, you'll see that we couldn't even agree on what the worker
24 said. Right? There was disagreement even though we were all
25 in the same room.

1 I think we've been very clear that direct access
2 which is what is required by the agreement, means an outreach
3 worker who has a client in front of them can reach out to a
4 person at DMH, DHS, DPSS, DP8, make the referral, get an
5 update, learn what happened and facilitate that contact with
6 their client.

7 But what we currently hear is that is not happening.
8 A referral into a portal that goes into the ether and may or
9 may not ever result in anything and nobody can get information
10 is not direct access, Your Honor.

11 So the County's position that it has articulated is
12 that some workers already have direct access because they can
13 walk people into buildings. That is obviously not what the
14 contract requires.

15 I don't think it can be solved by more listening
16 sessions, of course, if the special master holds them, we're
17 always happy to hear from outreach workers. If the City wants
18 to provide, we suggested CD7 Council Member Rodriguez's
19 district since she was in here would be a good place to start.
20 CD3 we've also talked to who has been very informative but --

21 **THE COURT:** Who's in CD3, I have trouble sometimes
22 matching up the council person.

23 **MS. MITCHELL:** Blumenfeld, Your Honor.

24 **THE COURT:** Who? Who?

25 **MS. MITCHELL:** Blumenfeld, Bob Blumenfeld. So the

1 point is, I think that this issue is ripe for an evidentiary
2 hearing. I understand the Court doesn't want that process.
3 I'm happy to continue to happy with the Court and with the
4 County to try to figure out if there are alternative for fact
5 stipulations we can come to, perhaps interviews on the record
6 so that we actually have a transcript and we can all agree on
7 what happened.

8 But the bottom line is, Your Honor, what is happening
9 right now with these referrals from city funded outreach is not
10 direct access. I do think the City needs to take a position on
11 that and we'll get to that in a minute, but that issue in my
12 opinion is ripe for adjudication unless the County is here to
13 say that they're going to do something different, which I don't
14 think they're going to say.

15 So I think the next issue is whether or not the City
16 is getting sufficient services at interim and -- at interim
17 facilities and permanent support housing facilities. I think
18 it's unquestionable we hasn't, I think the only person sitting
19 in this courtroom today that thinks the County is providing
20 sufficient services to these facilities is the County.

21 So we have heard that there's a new program IHOP and
22 I think it's Interim Housing Outreach Program or something like
23 that, we have heard in CD6 that is a very big improvement --

24 **THE COURT:** Match up CD6, I used to have them
25 memorized, but I don't because there's been election.

1 **MS. MITCHELL:** Oh, it was Murray's district, who's
2 CD6 now?

3 **UNIDENTIFIED:** Padilla.

4 **MS. MITCHELL:** Padilla, Padilla.

5 **THE COURT:** In other words, I want the council
6 people, the name now, I want people on the spot, not just --

7 **MS. MITCHELL:** Thank you, Your Honor, Council Member
8 Padilla.

9 **THE COURT:** Who is it?

10 **MS. MITCHELL:** Padilla.

11 **THE COURT:** Padilla.

12 **MS. MITCHELL:** So we did hear that the County's IHOP
13 program and the County can describe it I'm sure better than I
14 can, but as I understand it, you have an actual human being
15 that goes from the County into these facilities and people --
16 the case manager can talk to these folks, they can refer them
17 over to the IHOP personnel, the IHOP personnel can then connect
18 directly to County services and universally that has been
19 reported as a very successful program. It is very exciting.

20 I have asked for a confirmation from the County. I
21 have asked for confirmation from the County, Your Honor, that
22 this is actually happening at every interim facility. I
23 haven't gotten that. I've asked for confirmation that it's in
24 every district. I haven't gotten that.

25 I think that those conversations are still happening

1 as to the interim facilities. But obviously we have heard from
2 Council Member Rodriguez, she doesn't believe that the interim
3 facilities are getting sufficient support. She's indicated
4 that there are people with serious mental illness that are just
5 sitting in city facilities not getting the beds that they
6 should be getting.

7 I think the City needs to take a position on this as
8 well, Your Honor. We don't believe that the City is getting
9 the services that the people in these facilities are getting
10 the services, but again I think we need to hear from the City.

11 So if the IHOP program is taking place at every
12 interim facility, that's a huge step up I would say. Because
13 that is, Your Honor, the direct access that we've talked about
14 with the outreach workers, right, you have a human being who
15 can connect people to the services that they so desperately
16 need.

17 We don't have anything like that in the permanent
18 supportive housing facilities. All of the providers have been
19 very clear, same gap as the outreach workers, a DMH referral
20 takes days to weeks to go through, if that even happens at all.
21 They have an inability to find out what is happening and you
22 don't have really the same level of services.

23 You have a case manager that might see people once a
24 month, once every six months, it is very opaque. And so the
25 IHOP program being so successful in interim I think something

1 like that would be helpful in permanent supportive housing if
2 the County is open to that, but either way, I think unless the
3 County is willing to substantively change the way they are
4 doing services of permanent supportive housing facilities, I
5 think that that is ripe for adjudication. And other than an
6 evidentiary hearing, Your Honor, I don't know how else to get
7 that on the record unless the County would agree to like a
8 series of depositions or something like that. Again, something
9 the City needs to take an affirmative position on.

10 The next issue, Your Honor, is the high service needs
11 beds. I don't think this is ripe at this point for
12 adjudication. We're still talking about this. The County is
13 finally reporting these issues in its quarterly report. The
14 contract, the settlement agreement requires City -- PEH City
15 persons experiencing homelessness to be prioritized to County
16 high service needs beds or for those beds to be exclusively
17 used for the City folks. And we don't see that's happening.

18 The County is only set it like waits, the City PEH I
19 don't know what that means and they haven't explained that. I
20 think those conversations are ongoing and should wrap up in the
21 next 30 days.

22 On the date of verification I would defer to Justice
23 Goethals on that. I don't know where we are with that. I
24 certainly haven't seen anything, but I know that the County has
25 been working directly with the Justice on this.

1 So plaintiffs are prepared to spend the next month on
2 the process the County is asking for, which is that the County
3 provides us this bed presentation on October 14th, where it
4 explains how it got to the data that it got to and the new
5 beds, the SUD beds and mental health beds.

6 I think the County also owes us some responses on the
7 IHOP and permanent supportive issues, as well as the City needs
8 to update its outreach list. So for all of those reasons, Your
9 Honor, I understand that the Court had asked that this be
10 handled on October 27th. I just don't think two of these
11 issues at least are ripe.

12 And I think on the other issues we are going to need
13 an evidentiary hearing, because there has to be an established
14 set of facts from which we can operate. And as the Court saw
15 from the last joint report, we couldn't even agree on an
16 established set of facts. The City and plaintiffs were on one
17 side, the County was on another, I don't think we heard much
18 from the intervenors, I don't think they were there on that
19 one.

20 So again, whether it's a deposition process or an
21 evidentiary hearing or have it here in court, something has to
22 give because to the Court's point, not only is the money not
23 getting to the streets, but the treatment isn't getting to the
24 streets. Right, that's the County. The County is supposed to
25 be providing the services and the treatment and it is just

1 fundamentally not. It is providing a slow bureaucratic process
2 that isn't helping people.

3 So I'm happy to answer questions, Your Honor. I do
4 think if we can get that data ahead of time from the City --
5 excuse me, from the County by the end of next week on the beds
6 would be helpful. October 14th is our presentation and if we
7 can't resolve things after that then I would file a motion.

8 **THE COURT:** That's why you in one of the e-mails was
9 you were inquiring about moving the October 22nd or 27th date
10 to a November date --

11 **MS. MITCHELL:** Correct.

12 **THE COURT:** -- to work on these issues.

13 **MS. MITCHELL:** Correct. So --

14 **THE COURT:** Otherwise you're in the position of
15 simply having to file to meet my deadline.

16 **MS. MITCHELL:** That's right, Your Honor.

17 **THE COURT:** I understand that. Let me turn to the
18 County next.

19 **MS. MITCHELL:** Thank you.

20 **THE COURT:** Your response, please.

21 **MR. SARNOFF:** Good morning, Your Honor. Since the
22 most recent status conference, the County has continued to work
23 diligently and collaboratively with plaintiffs to address all
24 the areas of concern that the parties have been discussing.

25 You know, broadly we disagree with a lot of the

1 characterizations of plaintiff's counsel as I'm sure you
2 expect.

3 **THE COURT:** I read your e-mails.

4 **MR. SARNOFF:** But I think one thing is clear, the
5 parties have made significant progress. We think the parties
6 should continue in that vein and follow through on that process
7 rather than abandoning the process and engaging in some sort of
8 ill conceived motion practice.

9 Plaintiffs have not filed a motion because they don't
10 have any basis to file a motion. That being said, we're happy
11 to address their concerns and continue to work through the
12 issues that the parties have been discussing.

13 But in general we think the parties' efforts and time
14 would be better spent on collaboration rather than litigation
15 posturing. So we think the parties should continue to
16 collaborate and work in good faith on these issues and I'm
17 happy to go through the issues one by one now.

18 With respect to the mental health and SUD beds, we
19 provided the data to plaintiffs. The data shows the exact
20 opposite of what plaintiff's counsel had been suggesting.
21 There's no situation to be clear, Your Honor, that the number
22 of beds has been in the Alliance case has somehow been filling
23 in some decrease in beds elsewhere in the system.

24 In fact, the Alliance beds that I think we should all
25 be proud of here have been contributing to a significant

1 increase in the County's overall mental health and SUD bed
2 total capacity. So again, I think we can all be proud of that
3 outcome. And we're happy to, like we've been suggesting, walk
4 everyone through the data, because I know it's not as simple as
5 just giving a number, we want to explain it, walk through and
6 answer any questions that anyone might have and we're happy to
7 do that because we're committed to transparency and
8 verification.

9 So I'm happy that the parties have scheduled that
10 meeting on October 14th.

11 With respect to the County's bed verification
12 proposal, I think at the last status conference we discussed a
13 verification process that would meet I think our twin goals
14 here. We want something that's workable for the County that
15 addresses the privacy concerns, that actually allows Justice
16 Goethals, whoever is coming to make a site visit to speak with
17 the correct person at the correct facility and get meaningful
18 information.

19 On the other hand, we want to make sure that whoever
20 is visiting is getting what they want. So that's why we're
21 suggesting that we agree upon a process, the process that the
22 County has suggested is consistent with what Alvarez and Marsal
23 used when they were engaged in this sort of verification.

24 We think sticking with that tried and true method of
25 verification works. We're happy to continue discussing the

1 specifics of that with Justice Goethals or whoever.

2 **THE COURT:** What is that proposal for verification by
3 the County?

4 **MR. SARNOFF:** So essentially, Your Honor, it's that
5 Justice Goethals, for example, will select a location of his
6 own choosing, tell us what that location is so we can
7 facilitate that. There will be someone, a coordinator there to
8 ensure that Justice Goethals is getting the right information,
9 getting -- you know, navigating the HIPAA concerns, speaking to
10 the correct person. You know, if you just show up at a site
11 there might not be the correct executive or manager there who
12 knows all of the relevant information.

13 A particular staff member who's on a particular day
14 might not know about the Alliance case or be able to direct the
15 person seeking to verify, to what they're trying to get. So
16 that's why that sort of advanced notice is important. We're
17 not asking for weeks, it can be a very short amount of advanced
18 notice, 48 hours for example, but a surprise visit
19 unfortunately is not just workable.

20 **THE COURT:** And why isn't it workable?

21 **MR. SARNOFF:** Well, Your Honor, as I mentioned, if
22 you show up at a particular facility unannounced on a
23 particular day, the right person to talk to might not even be
24 there. The facility might not be ready to, you know, show what
25 Justice Goethals is looking for. They might not know who he

1 is. Those are the kind of things that we would need in order
2 to facilitate a meaningful visit.

3 **THE COURT:** You may be absolutely correct. I
4 hesitate to tell you this story because it's a little
5 embarrassing. Do you have time for a story?

6 **MR. SARNOFF:** Sure.

7 **THE COURT:** A brand new municipal court judge in
8 1981, and the Governor of the State then writes a letter
9 saying, all of you new judges are welcome to visit the
10 California Department of Corrections facilities any time,
11 quote/unquote.

12 So I got my bailiff and we went out to Chino at 12
13 o'clock midnight, knocked on the door. The sergeant was a
14 little stunned, who talked to the lieutenant, who talked to the
15 captain, who phoned the warden and you can imagine the
16 reaction.

17 By 1:30 after the bureaucracy got straightened away
18 we got in. The best information I ever got was from a
19 lieutenant with one eye explaining Palm Hall and why it was
20 moving the Texas Syndicate and the Mexican Mafia around in the
21 Black Guerilla family, I got the best tour ever. By the time I
22 got there, we stayed for donuts and coffee when the warden
23 arrived at 8 o'clock, I had more frontline information than the
24 warden could ever tell me.

25 **MR. SARNOFF:** And I understand that, Your Honor.

1 **THE COURT:** Good.

2 **MR. SARNOFF:** Yeah, I totally understand that and
3 I --

4 **THE COURT:** We can work that somehow so that we
5 don't --

6 **MR. SARNOFF:** Yeah.

7 **THE COURT:** -- have problems of getting pabulum quite
8 frankly.

9 **MR. SARNOFF:** Yeah, and those are the --

10 **THE COURT:** We can work that out today. Thank you
11 for your presentation.

12 **MR. SARNOFF:** There's the twin goals that I think are
13 important, right. Getting whatever the verifier wants --

14 **THE COURT:** We will work that out, but we will be
15 arriving when we choose to arrive.

16 **MR. SARNOFF:** Sure.

17 **THE COURT:** All right. Now, continue on with your
18 presentation.

19 **MR. SARNOFF:** The next point that plaintiffs have
20 been raising is direct access to City funded outreach workers.
21 Plaintiffs have never really articulated exactly what they mean
22 by that, but you know, in our view plaintiff's characterization
23 of what we heard in the listening sessions is not correct.

24 What we heard was, in fact, that these outreach
25 workers have found direct access. Sometimes that direct access

1 is better than the traditional pathways, but that doesn't mean
2 that there's some sort of systemic issue. We heard anecdotes
3 of maybe more delays than someone would like or an outcome that
4 wasn't exactly what the outreach worker wanted, but that
5 doesn't indicate without more information that there's some
6 fundamental or broader issue going on.

7 We've asked for specifics because without specifics
8 we can't address an issue. And we're following -- we've
9 followed with the outreach workers. We even offered during one
10 of those meetings, if you have any concerns, there's a County
11 representative, give me a call, right, because that's we think
12 very helpful.

13 But the fact that outreach workers have found other
14 more direct ways to get success for their clients doesn't mean
15 that a longer wait time is indicative of some broader issue.
16 Actually it indicates the success of a program like IHOP.

17 It's no surprise that an outreach worker focused on
18 getting quick success for their client is going towards a
19 pathway that doesn't get documented by HMIS because it's
20 quicker.

21 So that's an inevitable outcome of the launching of
22 successful programs. We're happy to address the concerns, but
23 you know, we don't -- we heard anecdotes when prompted by
24 leading questions about, give me an example of something that
25 went wrong and one instance of something going wrong is when

1 it's just too much, we want to address it. But we didn't hear
2 that there's no services being provided or there's no direct
3 access. In fact, outreach workers are driving their clients to
4 county buildings and walking in the door to receive services.
5 That's direct access.

6 With respect to services at City interim and
7 permanent facilities, we agree with plaintiffs that IHOP has
8 been very successful. We're happy to work with plaintiffs on
9 any specific proposal, but of course, it has to be workable and
10 feasible.

11 Again, I think this goes back to our broader point.
12 We think the parties have made significant progress and we
13 should continue to make progress rather than file some motion
14 where we're arguing about, nothing good in our view will come
15 of that. What would be successful is the parties continuing to
16 collaborate and improve the system.

17 With respect to the high service needs beds, we
18 provided significant detail in the County's July 30th, 2026
19 quarterly report. We explained specifically how City PEH are
20 getting priority for those beds. We asked plaintiff's counsel
21 if you'd like more information, what more information can we
22 provide, so we're happy to work with them to make sure they
23 understand how that prioritization system works.

24 It's not overly complicated, Your Honor. If you're a
25 City PEH, you get priority for those types of beds and that's

1 what the settlement agreement contemplates and that's what the
2 County is doing. So with that, Your Honor, I'm happy to take
3 any questions, but in general we're looking forward to the
4 meeting on October 14th and we look forward to continuing
5 working with plaintiffs and all of the relevant stakeholders.

6 **THE COURT:** Which once again would make the October
7 27th date unrealistic if the parties are trying to work
8 together.

9 **MR. SARNOFF:** We agree with that, Your Honor.

10 **THE COURT:** And therefore I saw in your e-mails some
11 conversation or discussion about moving this to November some
12 time.

13 **MR. SARNOFF:** Yes.

14 **THE COURT:** I'm going to call the LAHSA matter in
15 just a moment, so folks aren't sitting around, but I'm going to
16 ask you to remain today. I want you to talk to Justice
17 Goethals, all the parties in this matter, see if he agrees that
18 progress is possible. And, Justice Goethals, do you want to
19 make a statement at this time or reserve that for a period of
20 time after you talk to the parties?

21 **MR. GOETHALS:** Well, I've been listening but it
22 appears to me --

23 **THE COURT:** We're going to need you to come down to
24 the microphone if you're going to make a statement.

25 **MR. GOETHALS:** I did. I guess I will say something.

1 **THE COURT:** And I'll turn to the intervenors next and
2 the City in just a moment, but no discourtesy. The contention
3 here is really between the County.

4 **MR. GOETHALS:** I'm Tom Goethals. I'm the Court's
5 special master for the County and have been for about the last
6 16 months.

7 And I've been listening this morning to both sides
8 and what I've heard from both sides is generally what I've
9 heard from both sides before. I would say this, let me staff
10 off, I could talk to you a long time and I promise you I won't,
11 because you've got a lot of other things to do.

12 But I would say this, I am more optimistic about
13 certain issues than either side is here, but I share the
14 Court's concern. The Court said something in its initial
15 comments, which is a huge concern of mine.

16 County lawyers know that I have met with members of
17 the Board of Supervisors up in the Hall of Administration,
18 Supervisor Horvath and Supervisor Barger and their staffs. And
19 when I talk to them and hear what they have to say and their
20 level of concerns I become somewhat optimistic that things are
21 going to get better and are going to change.

22 And I do wonder when I listen to counsel and meet
23 with counsel and your staff, whether or not you are hearing the
24 same things from your bosses up there in the Hall of
25 Administration than I'm hearing. I just wonder, I think you're

1 all good lawyers here, you're obviously very able and you're
2 serving your clients in a vigorous professional way, but I
3 wonder whether or not the lines of communication are as clear
4 and as open as they should be, because I hear things from
5 Supervisor Barger and Supervisor Horvath that I don't hear in
6 this courtroom. And I've been to almost every hearing for the
7 last year that's taken place here. So I just wonder about
8 that.

9 But I think the County, and I can only speak for the
10 County, although I speak to Special Master Martinez all the
11 time and get insight into what the City's doing, I think the
12 County's attitude has changed for the better in the last year
13 in many ways. I have visited with Special Master Martinez and
14 without her a lot of the service providers over the last year
15 and there is a dilemma. This is the only reason I came down
16 here to say this.

17 And I've sort of said it before perhaps in this
18 courtroom but also not in this courtroom, just talking to you
19 all, this is the dilemma which I find incredibly frustrating.
20 I could go to every service provider in CD6 or CD2 or CD7 and
21 I -- let's assume the best, I knock on the door, I tell them
22 who I am, they let me in, and they let me walk around and let's
23 say it's a 20 bed facility.

24 And whether they're the manager, an upper level
25 manager is there or the on site manager is there, there's

1 nobody there who knows anything. I can see there are 20 beds.
2 I can verify there are 20 beds there and some of them -- and
3 I've done this. Some of them would be occupied on any given
4 day and some would not.

5 The verification problem with this 3,500 beds that
6 the settlement agreement requires is that those beds don't have
7 little signs over them, the 20 beds that say, okay, these 6
8 beds in this 20 bed facility are LA Alliance case beds. They
9 don't do that. The providers on the ground are trying to fill
10 the beds with people who qualify to sleep in those beds, no
11 matter where they come from and that's what, in my view, they
12 should be doing.

13 If they've got 20 beds, you'd hope 20 people
14 experiencing homelessness would be sleeping them, although I
15 know there's turnover and all that, so 20 out of 20 is not
16 likely, but 18 of 20 or 16 out of 20, or whatever the number
17 is.

18 But when you go and you see there, I've done this, I
19 know Michelle Martinez has done it even more than I've done it.
20 We go, we see the beds are there, but I don't care who's there,
21 they're not going to say that bed is an LA Alliance bed, that
22 bed is going to be used by somebody else, we've got 20 beds.
23 If the Alliance happens on a particular day to send us six
24 people and we have six open beds, six of our 20 might have LA
25 Alliance people in them.

1 But whether I'm out there looking personally or
2 somebody else is, or Special Master Martinez is, that
3 verification process -- I have been struggling with how to get
4 to a point where this Court will feel confident with
5 transparency and verification. And it has stumped me and I was
6 a trial lawyer for 25 years, a Superior Court judge for 15
7 years, I sat on the Court of Appeal for eight years, I mean
8 I've seen complicated issues. This is a tough one.

9 And I have invited counsel on both sides to try to
10 help me figure out how this Court can ever be satisfied with
11 the verification challenges that this case presents. And given
12 the scope and the size and the fluid nature of people who come
13 and go, it's a challenge and I don't have an answer.

14 But I know this Court isn't satisfied. And I talk to
15 Judge Carter all the time, as does Special Master Martinez,
16 he's said almost daily that's pretty much true. We talk about
17 this issue almost every day and the challenges it presents and
18 how we might resolve this issue in a way that satisfies him and
19 it's a challenge. And I don't have a great answer, but I can
20 tell you when I sit down and talk to the supervisors who I
21 guess are -- I'm looking at the County's lawyers here, they're
22 your bosses, they're the elected officials who are running the
23 show and I have a pretty good lines of communication I think
24 with Supervisor Barger and Supervisor Horvath and their staffs.
25 I've got their chief of staff's phone numbers on my cell phone,

1 I can call them, they call me.

2 When we talk I feel a little better about it, but I
3 think that they're really trying. They're motivated to try to
4 resolve this, but I've given them the same spiel that you just
5 heard and they recognize how difficult it is, but they're
6 determined to try to resolve it and find an answer. But I'm
7 not confident.

8 I look at these facilities and I wonder how many of
9 these beds really are new -- original new beds rather than
10 effectively replacement new beds. And I'm gratified to hear
11 that you've just given some information with these numbers that
12 there were 4,693 beds on June 14th of 2022 and now there's
13 8,030, well if you do the math, that's 3,500, that's why you
14 say in your reports every quarter, which I read every quarter,
15 you say unequivocally there are plenty of new beds. We
16 surpassed our benchmarks.

17 I've read every report the County has filed since
18 long before I got on this case and every one that's been filed
19 since I got on the case, every report, the word processor spits
20 out, we have exceeded the benchmarks. And every time I read
21 those and I haven't talked to so many of you folks who are here
22 today but I've talked to your predecessors, I say, how do I
23 know that that's true. That's all I'm looking for. That's all
24 Judge Carter is looking for.

25 How do we know that's true? You're saying it, I

1 think you probably believe it, but how do we know? And I
2 haven't gotten an answer to that yet, but I'm trying.

3 So, Judge Carter, I'm not sure what you wanted me to
4 say but that's kind of an off the top of my head report.

5 **THE COURT:** I got you to the lectern to say whatever
6 you wanted. Okay. All right.

7 **MR. GOETHALS:** If you have any question you'd like me
8 to ask here in this open forum, I'd be happy to try but.

9 **THE COURT:** No, just -- because I've got new
10 attorneys. This goes way back, long before you were involved.
11 And you have to remember that what this Court was concerned
12 with was if there was going to be an effort, and I thought it
13 should be a D-Day effort, an all out effort instead of
14 incremental as it turns out to be, more management than solving
15 the problem, that the mental health had to coincide with the
16 number of homeless persons that LA was dealing with. And this
17 problem had been created over so many decades quite frankly of
18 malfeasance and I'll put that on the record.

19 From the unlawfulness of the government agencies to
20 money that the Governor was complaining about that he couldn't
21 track, that the treasurer noted when I first got this case in
22 2021 that they couldn't track the money, that the auditor
23 controller testified he was writing blank checks, the Court
24 saying the \$600 million that we can't even account for in 1999.
25 The \$50.3 million that were given with no contracts, no

1 milestones, nothing till the LA Times quite frankly discovered
2 it. You have to wonder where all that money went. And for
3 three or four years, I've been asking where has this money
4 gone.

5 And one of the efforts in this was to create mental
6 health spaces because I was given the figure that 40 percent of
7 our homeless population either has substance abuse or mental
8 health issues or a combination thereof.

9 So as I'm listening to politicians tell me that
10 they're going to clear 10 or 15,000 people, I'm trying to
11 equate what 40 percent of that is and the County at that time
12 offered me -- do you know the number, your initial offer to me?
13 What was your initial offer to me?

14 **MR. SARNOFF:** Your Honor, I'm not --

15 **THE COURT:** It was 300.

16 **MR. SARNOFF:** -- intimately familiar but it was much
17 less than the 3,000.

18 **THE COURT:** It was 300. I refused that. Because I
19 had 50 -- 46,000 people just in the City of LA, 76,000 in the
20 County. Do you know what your next offer was to the Court?
21 1,000. Absorb that.

22 We climbed the ladder finally to 3,000 and then I
23 thought it was 500, but I've been corrected, 450, all right,
24 for elderly. At that time, that's about as far as I thought I
25 could push the envelope but I settled. I think it's inadequate

1 frankly. But I settled that we are.

2 When we first went out to try to visit and I told you
3 kind of that shaggy dog story and I'm a little bit embarrassed
4 about that, but it happened. But I got more information from
5 the people on the frontline before the warden came in with
6 people who gave me just the normal bureaucratic spiel quite
7 frankly.

8 I learned how people were separated, if they were
9 Crips or Bloods or the different populations at Moore, how the
10 searches took place and why, how knives were stashed, et
11 cetera, saw the over crowded conditions in terms of the
12 dormitory that was unspeakable with double and triple their
13 beds in the gymnasium, horrific. I learned a lot.

14 I asked Michelle Martinez to go out initially when
15 she was the special master on this, and quite frankly we were
16 told that HIPAA didn't allow us in. Now, I'm the federal court
17 and I can resolve that HIPAA problem on the spot and almost
18 drove out to the scene and decided not to have that drama
19 occur.

20 But we constantly got, we can't come inside unless
21 you give adequate notice. Well, my adequate notice is
22 appearing at a time that I can get information. And I can
23 resolve that HIPAA problem very quickly. Am I clear about
24 that?

25 **MR. SARNOFF:** Yes, Your Honor.

1 **THE COURT:** I can make that order. I don't want you
2 standing in the way.

3 **MR. SARNOFF:** We were not standing the way, Your
4 Honor --

5 **THE COURT:** Then excellent. Then we've resolved that
6 issue. That doesn't mean we arrive at 12 o'clock midnight,
7 that's ridiculous, but we do arrive at a time that we can not
8 only get those qualified people you think are qualified but we
9 arrive at a time where we can get people who are the frontline
10 working. Am I clear about that?

11 **MR. SARNOFF:** Yes, Your Honor. We're not --

12 **THE COURT:** You'll work with my special master and
13 remain today and we'll resolve that problem, some way that's
14 amicable, protect HIPAA rights, et cetera, but also get
15 accurate information rather than just the manager who may or
16 may not be there on occasion to speak to the staff.

17 **MR. SARNOFF:** We all want the same thing.

18 **THE COURT:** Now, the second thing is I'm
19 extraordinarily optimistic. I'm very optimistic about this and
20 in a few moments I'm going to talk to the U.S. Attorney and I
21 want to specifically represent and say to Mr. Essayli I
22 appreciate your presence here.

23 **MR. ESSAYLI:** Thank you, Your Honor.

24 **THE COURT:** I want that absolutely on the record
25 because I don't want to deal with the Board of Supervisors, I

1 don't want to deal with the attorneys, I want to deal with you
2 and I especially appreciate the fact that you paid the courtesy
3 of this Court to be present to hear what I'm going to say today
4 and then make some decisions.

5 I think we can resolve this. I think the problem is
6 that the verifications are different when we're dealing with
7 mental health. And since that information came in last night I
8 didn't get it because I was in session till about 6 o'clock
9 last evening, but when I got home Michelle had sent me those e-
10 mails. And I saw that data for the first time.

11 That simply needs an explanation and maybe that's
12 good or bad from LA Alliance, et cetera, but I'm going to ask
13 us to go through that today because I'm willing to move this
14 October 27th date if we're, you know, making progress, but I'm
15 not willing to move it and I will force you into filing if
16 we're not making progress and I'll know by the end of the day.

17 So, in other words, instead of recessing today and
18 going home and you coming back and I continue this matter, I
19 frankly want the pressure on both of you today. In other
20 words, if you can't make sufficient progress, if it's
21 meaningless, you file or you don't file, it's as simple as
22 that.

23 And if we can, let's put this over and work together
24 because there's some things that we really can be achieved.
25 And on the positive side, when I've gotten input back from your

1 members of the Board of Supervisors, and they've been more than
2 Barger and then they've been more than Horvath, I'm very
3 positive. When I'm dealing with them or the Mayor or different
4 council people I get an entirely different vibe, if you will
5 than I am when I'm dealing with counsel. And it's perplexing
6 to me, because I don't think you're in good faith, I think
7 you're excellent advocates, and I'll put that on the table, but
8 I'm not sharing the same thing either.

9 So that's why I won't call you, I'll call Barger or
10 Horvath or Mitchell or whoever, but I won't call you. I don't
11 want to deal with your level, okay. Now, I don't mean that in
12 a demeaning way, but you're not running the City.

13 **MR. SARNOFF:** Understood, Your Honor.

14 **THE COURT:** Understood? And it appears to me that
15 sometimes the attorneys are running the City. All right.

16 Now, the next problem is this, I really need to get
17 to LAHSA in just a moment. I'm going to ask you to remain.
18 I'm going to ask you to go in session with both Michelle and
19 Justice Goethals. I'm going to see how far you get today if
20 it's meaningful or not. If it's worthwhile for this November.

21 And if you tell me later on today and I'll interrupt
22 the proceedings that it's meaningful, that I'm not going to
23 hold to the October 27th date. In other words, if we're making
24 progress that's all I want. But if you tell me that it's not
25 meaningful at the end of the day, then you're going to have to

1 make a decision to comply with my timeline because I'll force
2 you to file.

3 Now hold on, that's it. Okay? So we're all here and
4 I'm kind of amazed at how much information I get the day before
5 a hearing. I'm just stunned by the amount of information that
6 flows 24 hours before and I keep wondering, but for the Court
7 date, are we still in Sleepy Hollow? Are we still wallowing
8 around waiting for things to occur. So that's why I'm going to
9 put pressure on you today, okay?

10 **MS. MITCHELL:** Your Honor --

11 **THE COURT:** Now, I'm going to turn it over -- thank
12 you very much. I'm going to turn to the intervenors now, if
13 you have anything to say, and then I'll turn to the City as a
14 courtesy. I don't think you're involved really in this issue,
15 but.

16 **MS. SWEETSER:** Thank you, Your Honor. You're correct
17 this is a dispute between the LA Alliance and the County. And
18 from intervenor's perspective we'd just like to point out that
19 sometimes with the direct access issue, there is an issue with
20 protecting the privacy of the people involved and that is very
21 important.

22 **THE COURT:** I'll resolve that. I'm the Judge. I can
23 protect that privacy.

24 **MS. SWEETSER:** I didn't mean about your visit, Your
25 Honor, I meant about -- I think counsel had just said that

1 direct access includes a report back from the County to --

2 **THE COURT:** I'll resolve that.

3 **MS. SWEETSER:** -- the outreach workers. And I just
4 wanted to take a minute to talk about who the City funded
5 outreach workers are.

6 So there's a team at LAHSA that's funded by the City
7 but just this one team and it's the one that assists with the
8 camp clean ups. So they're not outreach workers that are
9 forming a long term relationship with people, they're outreach
10 workers that are going out with the clean ups and then
11 assisting with the clean ups and providing services along with
12 clean ups.

13 So we heard at the listening session that those
14 outreach workers were actually not making referrals, that
15 they're not intending to do that type of assessment and refer
16 because they're for a different purpose.

17 So the City funded outreach workers are at various
18 non-profit organizations I believe that are funded and that's
19 why Jimmy's creating a -- counsel is creating a list of those
20 workers and making sure we have the data for those City funded
21 workers, but it's taking a little bit of time it seems to
22 gather the names for all of those workers.

23 So with the direct access, I think it is really
24 important as was said, that these workers have a system to
25 reach the County, but with a report back of information from

1 the County to those non-profits and other entities, there may
2 be an issue with providing results from mental health
3 assessments and so it may be that mental health workers are
4 meeting with them and that they are getting assessed for
5 various beds, but that the information may not be available to
6 the outreach workers.

7 And intervenors just wanted to note that it is
8 important that, you know, these are people with privacy rights
9 as well, so they should have a right to be able to inquire
10 about what's going on, but it isn't necessarily the outreach
11 workers or the private organizations that should have access to
12 that data about them, so.

13 **THE COURT:** And you're going to participate today,
14 that's by order of the Court. That way if it's protected, et
15 cetera, I just want to get accurate information.

16 **MS. SWEETSER:** Absolutely, Your Honor.

17 **THE COURT:** And I think if we all work together, I
18 really believe that. I'm very optimistic about today actually.

19 **MS. SWEETSER:** Yes. And I think, you know, I'll just
20 note that intervenors have been seeing progress and I know
21 there have been various solutions proposed to these issues and
22 I think we can work out those solutions.

23 **THE COURT:** Okay.

24 **MS. SWEETSER:** Thank you.

25 **THE COURT:** All right. Then let me turn to the City.

1 **MR. HAMBURGER:** Yes, Your Honor. I think we agree
2 with your statement that this largely a dispute between the
3 Alliance and the County. We're happy to participate, but I
4 don't have anything specific unless the Court has questions.

5 **THE COURT:** I assumed that, I just wanted to be
6 courteous.

7 **MR. HAMBURGER:** Thank you, Your Honor.

8 **THE COURT:** Okay. I want to take up LAHSA next
9 because of the -- getting folks back to work, but I'm going to
10 order the parties to remain on LA Alliance today. You're to go
11 in session with Justice Goethals this morning and, Tom, report
12 to me if there's progress or not, give me your best evaluation
13 if that October 27th date is not a date that I should abide by
14 if we're making progress.

15 I'm particularly interested though in how we're going
16 to work out verification. In other words, that can go back and
17 forth with e-mail strings again for the next months. It's time
18 to get down to how do we verify and that information you've
19 just given us, nobody's had time to take a look at those
20 figures, et cetera. There needs to be an explanation to LA
21 Alliance and the special masters, okay?

22 Is there anything else that we can accomplish right
23 now, and if so, I would recommend that we really get into
24 session in a few moments, but I think you should remain the
25 LAHSA matter. I think it's going to have carry over to you.

1 **MS. MITCHELL:** Nothing from plaintiff. The only
2 thing we wanted to note is that we're only 27 days out and so
3 we would need expedited briefing on that, Your Honor.

4 **THE COURT:** Well, I know that's we're going to make a
5 decision today. All right? If we're making progress I'm going
6 to humbly move that October date. If we're not, if we've kind
7 of reached log jams and just can't be, then you'll know what
8 you need to file on.

9 **MS. MITCHELL:** Great, thank you, Your Honor.

10 **THE COURT:** And maybe even narrowed. Okay?

11 **MR. SARNOFF:** Thank you, Your Honor.

12 **THE COURT:** Okay. If you'd remain then.

13 **(Recessed at 9:23 a.m.; reconvened at 12:45 p.m.)**

14 **THE COURT:** Back on the record on LA Alliance. Thank
15 you. They've already made their appearances, do you need
16 counsel to make their appearance again?

17 **THE CLERK:** No, Judge.

18 **THE COURT:** All right. Justice Goethals has
19 informally told me where I think you're at in these
20 discussions, but I'm going to have him make the presentation
21 because he was present with all of you folks and that way I'm
22 not misinterpreting. So I'd just ask you to go to the lectern,
23 Justice Goethals, and give your input, please.

24 **MR. GOETHALS:** Tom Goethals again, this Court's
25 special master for the County.

1 I have just had a conversation with Judge Carter and
2 his staff about the long conversation we've all been having and
3 where we are. And I think he wanted me to just put on the
4 record to memorialize where we are what has happened.

5 And this is on the LA Alliance case, whatever that
6 number is. We have agreed that there will be a status
7 conference in downtown Los Angeles at 9:30 on October 14th,
8 2026. At that status conference and it'll be over at the ADR
9 Services' office at 6th and Hope where we have had these before
10 in the past, the County has volunteered and/or agreed that with
11 respect to something that was discussed this morning by
12 Ms. Mitchell which is an e-mail I think she received recently,
13 as recently as yesterday concerning the County's compliance
14 with the new bed requirement contained in the County settlement
15 agreement with the Alliance.

16 The County's going to walk us through those numbers.
17 The numbers that I wrote down this morning were the baseline
18 number that the County is using as of June 2022 was 4,690 some
19 beds and the County now says that of the same type of beds,
20 there are 8,030 beds.

21 If that is true, that would comply with the 3,500
22 more or less requirement of the settlement agreement, but there
23 has been no explanation. Again, we're talking about
24 transparency and verifiability. So we had a fairly spirited
25 conversation about that this morning and made some requests

1 about how the County will explain how those calculations were
2 made.

3 The County has agreed I think to the plaintiff's
4 satisfaction that before October 14th the County will try to
5 supply data to explain the underlying figures. The issue
6 remains this, at least generally speaking.

7 If there were 4,600 beds in June of 2020 inevitably
8 some of those beds have gone off line. The Alliance wants to
9 understand, and frankly as the special master I want to
10 understand if beds have gone off line how many more or less
11 that is. How they were replaced and we want to ensure that
12 when you calculate that there are now over 8,000 beds of that
13 same type that those really are new beds and they aren't
14 replacement beds in any way, shape or form for beds that were
15 lost and the County has agreed to provide an explanation and
16 data and a major part of the status conference will be the
17 County as they have phrased it, walking us through those
18 figures and how those calculations were made.

19 So that's going to happen. We have reserved about
20 three hours on October 14th for that, we'll stay as long as it
21 takes to get through it.

22 Currently there is another court date schedule in
23 this courtroom presumably on October 27th, 2026 and that was
24 the focus of the Court's conversation this morning, kind of a
25 fish or cut bait for the date for the Alliance to decide

1 whether it wanted motions, there are briefing schedules
2 associated with that.

3 The parties have agreed that with the Court's
4 concurrence that date, October 27th, 2026 will remain on
5 calendar as a court date but it will be converted to a status
6 conference for several reasons.

7 One to kind of see where we are with respect to
8 several of these issues on October 27th. It will give the
9 County time to make progress, the other party time to make some
10 progress, the Alliance time to see what kind of progress is in
11 fact made on a variety of issues in the next four weeks, and to
12 decide whether or not the Alliance thinks they still need to
13 file a motion and whether the Court needs to set a briefly
14 schedule and what not.

15 But the Court if it has made any argument or excuse
16 me, any order with respect to a briefing schedule to a
17 potential motion to be filed by the Alliance, that will be
18 vacated, if you will, held in abeyance, suspended pending
19 events between now and October 27th. But the Court still is
20 going to expect to see everybody here.

21 You all here were here this morning on the related
22 LAHSA litigation, that case is coming back that same date we
23 heard and so it made sense to me that we would keep that date
24 on calendar, keep us all moving in the same direction.

25 Critical to these events is a lengthy discussion that

1 we had that would negate the need potentially for the Alliance
2 to file a motion with an attached or associated request for an
3 evidentiary hearing. There have been several lengthy
4 evidentiary hearings on contempt related or those types of
5 hearings in this case in the past.

6 Everyone has expressed some desire to try to avoid
7 the need for another evidentiary hearing. So it was discussed
8 at some length what an alternative might be. And as of this
9 moment, what is on the table is that the parties would agree
10 that in lieu of an actual typical Sixth Amendment type formal
11 evidentiary hearing with direct and cross-examination of
12 witnesses, that everyone would agree that the special masters
13 in this case, Michelle Martinez as the City special master, I'm
14 the County special master and/or other designees by the Court
15 would engage in a factual investigation by going to a variety
16 of residents -- of program service providers who would be
17 selected by the special masters on short notice, documents
18 would be requested and provided by the County in advance of the
19 actual physical visits to these providers in the various
20 council districts.

21 And everyone would waive the right to actually have a
22 formal evidentiary hearing in lieu of that, the special masters
23 would file factual reports with the Court that would be
24 provided to the parties as well. In response to those reports,
25 the parties would agree that they would not be able to

1 factually supplement those reports, but they would reserve a
2 right to file briefs in response to those reports and appear in
3 court to argue the significance of the reports.

4 So this procedure would not preclude the possibility
5 of the Alliance filing a motion, but the motion would not
6 involve any sort of evidentiary hearing, it would involve at
7 most the filing of briefs on some sort of schedule determined
8 by the Court and then argument, and then ultimately a legal
9 ruling on issues raised by the Alliance.

10 That was discussed at some length, a lot of
11 permutations of what that might look like, what that might
12 involve. Counsel for the County represents that he is in
13 discussions with board level authority on that. And that he
14 has the authority to tentatively agree to that.

15 Along the same lines, the parties are going to meet
16 and confer prior to our status conference on October 14th and
17 they are going to generate a written protocol that I will
18 receive on or before October 14th that is the product of that
19 meet and confer process. And it will flesh out some of the
20 issues which we talked about at exactly how that would work.

21 But again, the result of this agreement would be that
22 the parties could add argument and briefing but there will not
23 be, just to make it crystal clear, there would not be an
24 evidentiary hearing involving live witnesses, direct and cross-
25 examination that sort of thing that we're all familiar with if

1 this is agreed to.

2 And again, what we have today is a tentative
3 agreement understanding that the ultimate agreement has to
4 result from the written protocol when the nuts and bolts are
5 actually confirmed.

6 But we talked about this to such a degree, and
7 everybody, counsel for the City was involved in this
8 conversation, counsel for the Alliance was involved, I was
9 involved, counsel for the County was obviously involved,
10 counsel for the intervenor was involved and that's where we
11 are. That's kind of where we are.

12 So based upon that entire lengthy detailed
13 conversation which was lengthier and more detailed than I just
14 described, that was kind of a capsule summary. I would suggest
15 to the Court that this Court not vacate the pending October
16 27th date relating to this, I would confirm the date, but I
17 would change the nature of the hearing.

18 I would recommend changing the nature of the hearing
19 from whatever it is currently scheduled for to make it a status
20 conference at which we will have more information.

21 The other thing, oh, I did forget one thing.
22 Tentatively if we are going to go forward with the less formal
23 factual finding process here, which would involve the special
24 masters and/or other designees going to these service
25 providers, we are hopeful that on October 14th at that meet and

1 confer we'll be in a position to discuss when that's going to
2 happen and we are certainly hopeful that at least the initial
3 visits will take place some time between October 14th and the
4 next status conference in this courtroom which is October 27th.
5 So we will make progress on that process.

6 We will confirm that it's going to happen, and then
7 we will start it before we reconvene formally in this courtroom
8 for the status conference on October 27th. I think that is a
9 fair kind sort of capsuled summary of what we have discussed
10 and agreed on tentatively with the Court's approval.

11 **THE COURT:** And therefore if the Court makes rulings,
12 this would be based upon the fact finding of the special
13 masters?

14 **MR. GOETHALS:** Right. We would file a report, and
15 this Court has seen special master reports, both Ms. Martinez
16 and I have filed special master reports in the past that have
17 been docketed with the Court. They would be something like
18 that, but be more factually -- they'd be richer in facts
19 because they would largely focus on the visits to randomly
20 selected by the special master sites operated by service
21 providers who currently hold contracts with the County of Los
22 Angeles.

23 **THE COURT:** Would that include at least a sampling
24 from every one of the 15 council districts?

25 **MR. GOETHALS:** We haven't quite -- we were -- we

1 haven't quite -- we talked about the number. We thought we
2 would -- because we want to make sure that this is going to
3 work. So we actually talked about perhaps starting with two or
4 three, just to kind work the kinks out of how it's going to
5 work and then we would probably visit 10 or 12. I think there
6 are more than 10 or 12 council districts, but if there were 15,
7 I mean I would certainly say, I haven't discussed this with
8 counsel, but if we decided to do one in each district or
9 something, that certainly would be consistent with the kind of
10 thing we talked about.

11 **THE COURT:** Is there a number that all of you
12 discussed as a ballpark number of 15 or 30 or 45 or is that
13 somewhat left for the October 14th?

14 **MR. GOETHALS:** We talked about 10 or 12, just sort
15 off the top of my head. Ms. Martinez, who is engaged
16 vigorously in the initial part of this discussion had to leave
17 for a personal reason for an appointment that she had. I
18 intend to discuss with her some of the specifics.

19 She has, as this Court knows very well, she is really
20 actively engaged in visiting service providers and has been for
21 years and I wanted her input before I made a commitment about
22 how many I thought was appropriate, and I'm going to give her
23 opinion, you know, she has as much weight in her opinion as I
24 do and I'm going to defer to her largely probably about how
25 many would be appropriate.

1 But I thought 10 or 12 at least, to make sure, since
2 they're going to be randomly selected, I want to make sure that
3 we get a fair cross section of what these look like in various
4 parts of the county.

5 **THE COURT:** Would you be kind enough to ask the
6 parties if they agree to this, because you were involved in the
7 conversation and as the special master I wanted him to make the
8 representation because your conversations have taken place over
9 a long period of time, so.

10 **MR. GOETHALS:** I'm not necessarily comfortable that
11 we have a 100 percent firm agreement, Your Honor. But what I
12 would like to do if it's okay with you is I'll ask counsel for
13 the Alliance whether or not that recitation accurately reflects
14 what we talked about and they agree to that and I'd ask the
15 City and County's counsel who are also at counsel table whether
16 that's the same for them.

17 So, counsel, does that sound right?

18 **MS. MITCHELL:** Yes, it does. Thank you, Justice.
19 There are a couple of other like smaller issues that we're
20 still talking about, but that does address each one of the
21 issues that we've talked about and we're comfortable proceeding
22 in this way.

23 **THE COURT:** Okay. Let me turn to the County.

24 **MR. SARNOFF:** Yes, Your Honor, the County is
25 agreeable to proceeding in this fashion. I think in terms of

1 the next step it's to put it in writing to make sure we're all
2 on the same page about I think Justice Goethals said exactly
3 how it would work, but yes, I --

4 **MR. GOETHALS:** And they're going to put it in
5 writing. I haven't directed to meet and confer on or before we
6 see each other again in two weeks on for our status conference
7 or excuse me, our meet and confer on October 14th. I expect
8 that we will have a written protocol by then.

9 **THE COURT:** Let me turn to the city.

10 **MR. HAMBURGER:** What I've heard is consistent with
11 what I heard listening and participating in the discussion.

12 **THE COURT:** Let me turn to the intervenors.

13 **MS. SWEETSER:** (Inaudible).

14 **THE COURT:** All right. Then I will reschedule
15 October 27th for a status conference. October 14th you've
16 represented that you're meeting. Is there a docketed item that
17 I should put on the docket or is this record sufficient? In
18 other words, I've been docketing on almost every occasion for
19 the public, but would you then help with the docketing of this
20 matter with my clerks and with the Court? Or are we simply
21 going to put on the docket that the status conference is now
22 taking place in lieu of the hearing?

23 **MR. GOETHALS:** I would think you'd want to do that,
24 Your Honor. I don't recall. We've had several meetings
25 similar to this October 14th meeting, at which many of these

1 counsel have appeared in the past at the same place, kind of on
2 the same basis and I honestly don't if the Court has docketed
3 those meetings or if they have been less formal than that, I'm
4 not sure.

5 **THE COURT:** Well, I've only docketed the next dates
6 on most occasions, so that the public knew when our next
7 hearing was and what was on the docket.

8 **MR. GOETHALS:** I would suggest that this Court docket
9 the October 27th --

10 **THE COURT:** Okay.

11 **MR. GOETHALS:** -- status conference.

12 **THE COURT:** And what about the October 14th? I think
13 in terms of transparency --

14 **MR. GOETHALS:** Sure.

15 **THE COURT:** -- the public needs to know that you're
16 meeting and conferring in good faith. Okay. Then is there
17 anything further on behalf of LA Alliance today?

18 **MS. MITCHELL:** No, I don't think so, Your Honor.

19 **THE COURT:** Okay. Thank you. Anything on behalf of
20 the County?

21 **MR. SARNOFF:** Nothing further from the County, Your
22 Honor, thank you.

23 **THE COURT:** And you have authorization; is that
24 correct, of the Board?

25 **MR. SARNOFF:** For --

1 **THE COURT:** I want to be sure. In other words, what
2 I'm dealing -- in good faith I'm listening to you but I'm not
3 dealing with you. I'm dealing with the board now.

4 **MR. SARNOFF:** Sure, Your Honor, and --

5 **THE COURT:** Do you have authorization from the board?

6 **MR. SARNOFF:** For --

7 **THE COURT:** Are you in contact with the board?

8 **MR. SARNOFF:** I have authorization on behalf of the
9 County to proceed, Your Honor.

10 **THE COURT:** Okay.

11 **MR. SARNOFF:** I think the next step is important to
12 put it in writing so everyone understands exactly what we're
13 agreeing to.

14 **THE COURT:** Okay. Because you heard our concern
15 about a disconnect, sometimes between counsel and --

16 **MR. SARNOFF:** Understood.

17 **THE COURT:** Okay. Mr. Hamburger?

18 **MR. HAMBURGER:** Nothing further, Your Honor, thank
19 you.

20 **THE COURT:** Okay. Intervenors?

21 **MS. SWEETSER:** Nothing, Your Honor.

22 **THE COURT:** Okay. Well thank you very much.
23 Appreciate your courtesy. Have a good day.

24 **(Proceedings concluded at 1:03 p.m.)**

25

CERTIFICATION

I certify that the foregoing is a correct transcript
from the electronic sound recording of the proceedings in the
above-entitled matter.



Signed

October 1, 2026

Dated

TONI HUDSON, PRESIDENT