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Attorneys for Petitioners

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA
17 COUNTY OF ALAMEDA

18 LATRILL WILKERSON, DARRELL
ROBINSON, STEVEN WOLVERTON,
19 NATIONAL ASSOCIATION OF CRIMINAL
DEFENSE LAWYERS, CALIFORNIA
20 ATTORNEYS FOR CRIMINAL JUSTICE,
and ACLU OF NORTHERN CALIFORNIA,

21 Petitioners,

22 vs.

23 GREGORY J. AHERN, Sheriff of Alameda
24 County, in His Official Capacity, and DOES
1-10,

25 Respondents.
26

Case No. _____

**[PROPOSED] EX PARTE TEMPORARY
RESTRAINING ORDER AND ORDER TO
SHOW CAUSE RE PRELIMINARY
INJUNCTION**

1 Based upon the Court’s review of (i) the Verified Petition in this action, (ii) the Ex Parte
2 Application of Petitioners Latrill Wilkerson, Darrell Robinson, Steven Wolverton, National
3 Association of Criminal Defense Lawyers, California Attorneys for Criminal Justice, and the
4 ACLU of Northern California for a Temporary Restraining Order and Order to Show Cause re
5 Preliminary Injunction, (iii) Petitioners’ Memorandum of Points and Authorities in Support of
6 Application for Temporary Restraining Order and Order to Show Cause re Preliminary Injunction;
7 (iv) and the accompanying exhibits, and upon sufficient cause being shown thereby:

8 **OSC Re Preliminary Injunction**

9 It is hereby ORDERED that Respondent Gregory J. Ahern is ordered to show cause in
10 writing on or before June _____, 2020, why a preliminary injunction should not issue restraining
11 and enjoining Respondent and his agents, employees, assigns, and all persons acting in concert
12 with him from violating the constitutional rights of Petitioners Latrill Wilkerson, Darrell
13 Robinson, Steven Wolverton, and the class of Medically Vulnerable people incarcerated at Santa
14 Rita Jail that Petitioners seek to represent, and requiring Respondent to:

- 15 a. Identify within twenty-four (24) hours of the Court’s order all Medically
16 Vulnerable people (as defined in the Petition) then detained at Santa Rita
17 Jail along with a reasonably detailed explanation as to the method used to
18 identify the Medically Vulnerable people;
- 19 b. Submit to the Court within three (3) days of the Court’s order a list of the
20 identified Medically Vulnerable people whom Respondent does not intend
21 to release from custody or, where there are no less restrictive alternatives, to
22 home confinement along with detailed reasons for Respondent’s decision;
- 23 c. Release from custody or, where there are no less restrictive alternatives, to
24 home confinement all identified Medically Vulnerable people for whom
25 Respondent has not provided cause why release should not be granted; and
- 26 d. Provide immediate COVID-19 testing to all Medically Vulnerable people
27 incarcerated at the Santa Rita Jail.
- 28

1 Respondent is to file any papers in opposition not later than _____, 2020.
2 Petitioners are to file any reply papers not later than _____, 2020. Hearing on the
3 Order To Show Cause Re Preliminary Injunction is hereby set for _____,
4 2020, in Department _____. Petitioners are to serve this Order on Respondent by
5 _____, 2020.

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7 **Temporary Restraining Order**

8 It is FURTHER ORDERED that, pending the hearing on the Order To Show Cause Re
9 Preliminary Injunction, Respondent and his agents, employees, assigns, and all persons acting in
10 concert with him are restrained and enjoined from violating the constitutional rights of Petitioners
11 Latrill Wilkerson, Darrell Robinson, Steven Wolverton, and the class of Medically Vulnerable
12 people incarcerated at Santa Rita Jail that Petitioners seek to represent, and Respondent is required
13 to:

- 14 a. Identify within twenty-four (24) hours of the Court's order all Medically
15 Vulnerable people (as defined in the Petition) then detained at Santa Rita
16 Jail along with a reasonably detailed explanation as to the method used to
17 identify the Medically Vulnerable people;
- 18 b. Submit to the Court within three (3) days of the Court's order a list of the
19 identified Medically Vulnerable people whom Respondent does not intend
20 to release from custody or, where there are no less restrictive alternatives, to
21 home confinement along with detailed reasons for Respondent's decision;
- 22 c. Release from custody or, where there are no less restrictive alternatives, to
23 home confinement all identified Medically Vulnerable people for whom
24 Respondent has not provided cause why release should not be granted; and
- 25 d. Provide immediate COVID-19 testing to all Medically Vulnerable people
26 incarcerated at the Santa Rita Jail.
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DATED: _____, 2020

Alameda Superior Court Judge