

1 Kathleen E. Brody (Bar No. 026331)  
2 **ACLU FOUNDATION OF ARIZONA**  
3 3707 North 7th Street, Suite 235  
4 Phoenix, Arizona 85013  
5 Telephone: (602) 650-1854  
6 Email: kbrody@acluaz.org

7 *Attorneys for Plaintiffs Shawn Jensen, Stephen Swartz,*  
8 *Sonia Rodriguez, Christina Verduzco, Jackie Thomas,*  
9 *Jeremy Smith, Robert Gamez, Maryanne Chisholm,*  
10 *Desiree Licci, Joseph Hefner, Joshua Polson, and*  
11 *Charlotte Wells, on behalf of themselves and all others*  
12 *similarly situated*

13 **[ADDITIONAL COUNSEL LISTED ON**  
14 **SIGNATURE PAGE]**

15 Sarah Kader (Bar No. 027147)  
16 Asim Dietrich (Bar No. 027927)  
17 **ARIZONA CENTER FOR DISABILITY LAW**  
18 5025 East Washington Street, Suite 202  
19 Phoenix, Arizona 85034  
20 Telephone: (602) 274-6287  
21 Email: skader@azdisabilitylaw.org  
22 adietrich@azdisabilitylaw.org

23 *Attorneys for Plaintiff Arizona Center for Disability Law*

24 **[ADDITIONAL COUNSEL LISTED ON**  
25 **SIGNATURE PAGE]**

26 UNITED STATES DISTRICT COURT

27 DISTRICT OF ARIZONA

28 Victor Parsons; Shawn Jensen; Stephen Swartz;  
Dustin Brislan; Sonia Rodriguez; Christina  
Verduzco; Jackie Thomas; Jeremy Smith; Robert  
Gamez; Maryanne Chisholm; Desiree Licci; Joseph  
Hefner; Joshua Polson; and Charlotte Wells, on  
behalf of themselves and all others similarly  
situated; and Arizona Center for Disability Law,

Plaintiffs,

v.

Charles Ryan, Director, Arizona Department of  
Corrections; and Richard Pratt, Division Director,  
Division of Health Services, Arizona Department of  
Corrections, in their official capacities,

Defendants.

No. CV 12-00601-PHX-DKD

**DECLARATION OF  
CORENE KENDRICK**

1 I, Corene Kendrick, hereby declare:

2 1. I am an attorney licensed to practice before the courts of the State of  
3 California, and admitted to this Court *pro hac vice*. I am a staff attorney at the Prison Law  
4 Office, and an attorney of record to the plaintiff class in this litigation. If called as a  
5 witness, I could and would testify competently to the facts stated herein, all of which are  
6 within my personal knowledge.

7 2. Attached hereto as **Exhibit 1** is a true and correct copy of an email that  
8 Defendants' counsel Ashlee Hesman sent to me on January 5, 2018, announcing that  
9 Defendants will not respond to my December 11, 2017 letter regarding errors in the  
10 September 2017 CGARS (Doc. 2502-1 at 4-19) unless and until Plaintiffs' counsel  
11 produce to Defendants all documents that we reviewed in preparing the letter that show  
12 these mistakes. [Ex. 1 at 2] As I note in my response to Ms. Hesman (*id.* at 1), when  
13 reviewing the electronic health records in eOMIS, my colleagues and I did not print or  
14 create PDFs of each document showing noncompliance, but rather maintained notes by  
15 hand or in Microsoft Word documenting these mistakes. Defendants also have access to  
16 class members' medical records via eOMIS. As I informed the Court at the December 20,  
17 2017 hearing, my office had to expend a great deal of resources to review the medical  
18 records of each class member listed just for three medical performance measures at three  
19 institutions in the December 11, 2017 letter. [12/20/17 Tr. at 13:11-17] On January 5,  
20 2018, I ran a report in our office's timekeeping system (Timeslips) to determine how  
21 much time in total was billed for the September 2017 CGAR spot check review.  
22 Approximately 45 hours of attorney and paralegal time were billed for this project.

23 3. Attached hereto as **Exhibit 2** is a true and correct copy of a letter sent by  
24 Plaintiffs' Counsel David Fathi to Defendants' Counsel Richard Valenti on January 4,  
25 2018 regarding outstanding document productions, and requesting Defendants produce an  
26 updated Monitor Guide incorporating the Court's rulings on monitoring methodology for  
27 PMs 1, 2, 4, 77, and 95. Attached hereto as **Exhibit 3** is a copy of a letter from Mr.  
28 Valenti dated December 29, 2017 regarding document requests.

1           4.       At the December 20, 2017 status hearing, Defendant Pratt and counsel for  
2 defendants were directed by the Court to produce documents regarding the  
3 discontinuation of narcotic medication and to provide information regarding the formulary  
4 and the dispensing rates of pain medications no later than December 31, 2017. Attached  
5 hereto as **Exhibit 4** is a true and correct copy of a correspondence chain between  
6 Plaintiffs' Counsel David Fathi and Defendants' Counsel Ashlee Hesman regarding the  
7 failure to provide this information regarding pain medication.

8           5.       Attached hereto as **Exhibit 5** and **filed under seal** are true and correct  
9 copies of two letters Plaintiffs' counsel have sent to Defendants regarding a class member  
10 with paralysis who has engaged in multiple acts of self-harm, including chewing off his  
11 fingers, after his pain medication was discontinued. My colleague Rita Lomio interviewed  
12 him during our November 29-December 1, 2017 tour of ASPC-Tucson, and he authorized  
13 Defendants to take pictures of his injuries. Ms. Lomio wrote Defendants about his lack of  
14 pain management on December 19, 2017 (*id.* at 3-4) and requested that Corizon evaluate  
15 and treat him. This class member subsequently wrote our office to report that he still was  
16 not receiving pain medication, he was suffering from excruciating pain, and he asked us to  
17 publicly file Ms. Lomio's letter with the Court. Upon receipt of this letter, I reviewed his  
18 medical records in eOMIS and discovered that he had engaged in another act of self-harm,  
19 and on January 10, 2018, Mr. Fathi wrote Defendants regarding his lack of pain  
20 management and mental health care. [*Id.* at 1-2] Other than a boilerplate email  
21 acknowledging receipt, we have received no response to any of these letters.

22           6.       During the December 20, 2017 hearing, the parties and the Court discussed  
23 the fact that the Arizona Oncology Network ("AON") reportedly declared bankruptcy and  
24 was no longer accepting patients, and that Corizon was attempting to locate alternative  
25 oncology specialist providers. [*See generally* 12/20/17 Tr. at 67:9-74:7] At that hearing, I  
26 provided the Court a copy of a document from the medical record of a young man with  
27 leukemia who was experiencing delays in receiving cancer treatment. [*Id.* at 68:20-23]  
28 Attached hereto as **Exhibit 6** and **filed under seal** are true and correct copies of three

1 letters my colleague Rita Lomio has sent Defendants on November 15, December 19, and  
2 21, 2017 about this class member regarding the continued delays in cancer treatment due  
3 to Corizon's failure to have additional oncology providers. Other than a boilerplate email  
4 acknowledging receipt, we have received no response to any of these letters. Attached  
5 hereto as **Exhibits 7-10** and **filed under seal** are true and correct copies of letters my  
6 office sent Defendants since the December 20 hearing (on December 28, 2017, and  
7 January 4, 5, and 8, 2018, respectively) regarding additional class members whose  
8 medical records indicate current delays in receiving cancer treatment. Other than a  
9 boilerplate email acknowledging receipt, we have received no response to any of these  
10 letters.

11 7. Attached hereto as **Exhibit 11** is a correspondence chain between Plaintiffs'  
12 Counsel and Defendants' Counsel Lucy Rand regarding Plaintiffs' third quarter 2017  
13 monitoring fees and expenses.

14 I declare under penalty of perjury that the foregoing is true and correct.

15 Executed January 12, 2018, in Berkeley, California.

16 s/ Corene Kendrick  
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1 Dated: January 12, 2018

**PRISON LAW OFFICE**

2  
3 By: s/ Corene Kendrick

Donald Specter (Cal. 83925)\*  
Alison Hardy (Cal. 135966)\*  
Sara Norman (Cal. 189536)\*  
Corene Kendrick (Cal. 226642)\*  
Rita K. Lomio (Cal. 254501)\*

**PRISON LAW OFFICE**

1917 Fifth Street  
Berkeley, California 94710  
Telephone: (510) 280-2621  
Email: dspecter@prisonlaw.com  
ahardy@prisonlaw.com  
snorman@prisonlaw.com  
ckendrick@prisonlaw.com  
rlomio@prisonlaw.com

\*Admitted *pro hac vice*

David C. Fathi (Wash. 24893)\*  
Amy Fettig (D.C. 484883)\*\*  
Victoria Lopez (Ill. 6275388)\*

**ACLU NATIONAL PRISON PROJECT**

915 15th Street N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 548-6603  
Email: dfathi@aclu.org  
afettig@aclu.org  
vlopez@aclu.org

\*Admitted *pro hac vice*. Not admitted  
in DC; practice limited to federal  
courts.

\*\*Admitted *pro hac vice*

Kirstin T. Eidenbach (Bar No. 027341)  
**EIDENBACH LAW, PLLC**  
P. O. Box 91398  
Tucson, Arizona 85752  
Telephone: (520) 477-1475  
Email: kirstin@eidenbachlaw.com

Kathleen E. Brody (Bar No. 026331)  
**ACLU FOUNDATION OF ARIZONA**  
3707 North 7th Street, Suite 235  
Phoenix, Arizona 85013  
Telephone: (602) 650-1854  
Email: kbrody@acluaz.org

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Daniel C. Barr (Bar No. 010149)  
Amelia M. Gerlicher (Bar No. 023966)  
John H. Gray (Bar No. 028107)  
**PERKINS COIE LLP**  
2901 N. Central Avenue, Suite 2000  
Phoenix, Arizona 85012  
Telephone: (602) 351-8000  
Email: dbarr@perkinscoie.com  
agerlicher@perkinscoie.com  
jhgray@perkinscoie.com

Caroline Mitchell (Cal. 143124)\*  
**JONES DAY**  
555 California Street, 26th Floor  
San Francisco, California 94104  
Telephone: (415) 875-5712  
Email: cnmitchell@jonesday.com

\*Admitted *pro hac vice*

John Laurens Wilkes (Tex. 24053548)\*  
**JONES DAY**  
717 Texas Street  
Houston, Texas 77002  
Telephone: (832) 239-3939  
Email: jlwilkes@jonesday.com

\*Admitted *pro hac vice*

*Attorneys for Plaintiffs Shawn Jensen;  
Stephen Swartz; Sonia Rodriguez; Christina  
Verduzco; Jackie Thomas; Jeremy Smith;  
Robert Gamez; Maryanne Chisholm; Desiree  
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**ARIZONA CENTER FOR DISABILITY  
LAW**

By: s/ Maya Abela  
Sarah Kader (Bar No. 027147)  
Asim Dietrich (Bar No. 027927)  
5025 East Washington Street, Suite 202  
Phoenix, Arizona 85034  
Telephone: (602) 274-6287  
Email: skader@azdisabilitylaw.org  
adietrich@azdisabilitylaw.org

Rose A. Daly-Rooney (Bar No. 015690)  
J.J. Rico (Bar No. 021292)  
Jessica Jansepar Ross (Bar No. 030553)  
Maya Abela (Bar No. 027232)  
177 North Church Avenue, Suite 800  
Tucson, Arizona 85701  
Telephone: (520) 327-9547  
Email:  
rdalyrooney@azdisabilitylaw.org  
jrico@azdisabilitylaw.org  
jross@azdisabilitylaw.org  
mabela@azdisabilitylaw.org

*Attorneys for Arizona Center for Disability  
Law*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 12, 2018, I electronically transmitted the above document to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Michael E. Gottfried  
Lucy M. Rand  
Assistant Arizona Attorneys General  
Michael.Gottfried@azag.gov  
Lucy.Rand@azag.gov

Daniel P. Struck  
Rachel Love  
Timothy J. Bojanowski  
Nicholas D. Acedo  
Ashlee B. Fletcher  
Jacob B. Lee  
Kevin R. Hanger  
Timothy Ray  
STRUCK LOVE BOJANOWSKI & ACEDO, P.L.C.  
dstruck@strucklove.com  
rlove@strucklove.com  
tbojanowski@strucklove.com  
nacedo@strucklove.com  
afletcher@strucklovem.com  
jlee@strucklove.com  
khanger@strucklove.com  
tray@strucklove.com

*Attorneys for Defendants*

s/ Corene Kendrick

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