

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Geoffrey Mangers 4124 Ross Park Dr. San Jose, CA 95118-1761 Phone: (408) 978-8646 (private) call first; if busy call (408) 978-3149 (public) TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): geoffrey@mangers.org case website: www.publicforall.com ATTORNEY FOR (Name): in pro per	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara STREET ADDRESS: 191 North First St. MAILING ADDRESS: 191 North First St. CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Civil	
PLAINTIFF/PETITIONER: Geoffrey Mangers DEFENDANT/RESPONDENT: The County Of Santa Clara, Et Al	
EX PARTE APPLICATION FOR EXTENSION OF TIME TO SERVE PLEADING AND <input checked="" type="checkbox"/> ORDER EXTENDING TIME TO SERVE AND <input checked="" type="checkbox"/> ORDER CONTINUING CASE MANAGEMENT CONFERENCE	CASE NUMBER: <p style="text-align: center; font-size: 1.2em;">1-08-CV-109152</p>
Note: This ex parte application will be considered without a personal appearance. (See Cal. Rules of Court, rule 3.1207(2).)	HEARING DATE: June 2 DEPT.: 5 TIME: 10:00am

1. Applicant (name): **Geoffrey Mangers**

- is
- a. plaintiff
 - b. cross-complainant
 - c. petitioner
 - d. defendant
 - e. cross-defendant
 - f. respondent
 - g. other (describe):

2. The complaint or other initial pleading in this action was filed on (date): **March 27, 2008**

3. Applicant requests that the court grant an order extending time for service of the following pleading:

- a. Complaint
- b. Cross-complaint
- c. Petition
- d. Answer or other responsive pleading
- e. Other (describe):

4. Service and filing of the pleading listed in item 3 is presently required to be completed by (date):

5. Previous applications, orders, or stipulations for an extension of time to serve and file in this action are:

- a. None
- b. The following (describe all, including the length of any previous extensions):

Aug 26, 2008; Oct 28, 2008; Jan 6, 2009; Feb 3, 2009; March 10, 2009; April 14, 2009

6. Applicant requests an extension of time to serve and file the pleading listed in item 3 on the following parties (name each):

Mark Bernal in the County Counsel's office told me he will be responding for the County defendants. I tried to explain some of them may wish to join me under Section 382. The parties = "the balance" of this.

CASE NAME: G. Mangers Vs The County Of Santa Clara, Et Al	CASE NUMBER: 1-08-CV-109152
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7. The pleading has not yet been filed and served on the parties listed in item 6 for the following reasons (describe the efforts that have been made to serve the pleading and why service has not been completed):

I'm not sure if the Sheriff's department has been properly serving those I have given it so far.

Continued on Attachment 7.

8. An extension of time to serve and file the pleading should be granted for the following reasons:

I have no money. And still waiting on Social Security. My dentist's bill has gone into collection. And need to see one and no longer can. The others, I honestly owe, also wait. I'd like to be able to pay them. Along with the non-profit organization "providing civil legal services to the indigent" here. I'd like to be able to complete my filing and know there's still something in this world left to believe in. As well as have all my questions answered. I'd like my "day in court". And long to hear the words "Geoffrey, tell your story".

Continued on Attachment 8.

9. If an extension of time is granted, filing and service on the parties listed in item 6 will be completed by (date):

At this point in time I think only the Sheriff's office can provide the answer to this question. I have confidence in the Sheriff. But not anyone working under "Budget Unit" (i.e. the county I'm suing).

10. Notice of this application under rules 3.1200–3.1207 has been provided as required (describe all parties or counsel to whom notice was given; the date, time, and manner of giving notice; what the parties or counsel were told and their responses; and whether opposition is expected) or is not required (state reasons):

I'd like to be able to answer this in the affirmative for everyone. I need time to complete the collection of all their email addresses that might help in notifying them all of it. Actually, I don't even know if it's required or not.

Continued on Attachment 10.

11. Number of pages attached: 15

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 28, 2009

Geoffrey Mangers

(TYPE OR PRINT NAME OF APPLICANT OR ATTORNEY FOR APPLICANT)



(SIGNATURE OF APPLICANT OR ATTORNEY FOR APPLICANT)

Order on Application is below on a separate document.

ORDER

1. The application for an order extending time to serve and file the pleading is granted denied.

2. The pleading must be served and filed no later than (date):

3. The case management conference is rescheduled to:

a. Date:

b. Time:

c. Place:

4. Other orders:

5. A copy of this application and order must be served on all parties or their counsel that have appeared in the case.

Date:

JUDICIAL OFFICER

SHORT TITLE:

G. Mangers Vs The County Of Santa Clara, Et Al

CASE NUMBER:

1-08-CV-109152

ATTACHMENT (Number): 7 Page 1 of 15

(This Attachment may be used with any Judicial Council form.) (Add pages as required)

7. The pleading has not yet been filed and served on the parties listed in item 6 for the following reasons (describe the efforts that have been made to serve the pleading and why service has not been completed):

I've been beset with unresolved security concerns ever since last President's day (outlined on my March 9 CM-020 filing (p2 of 3). I'd very much like to appear personally this Tuesday. But don't think it's wise to be driving down to the court (or post offices) "unescorted" for awhile (or at least until I can resolve them somehow). So I've had to learn how to file for CourtCall. Happily my fax-modem worked. Alas, I learned that I cannot fax documents (like this one) because I don't have a *dedicated* fax line and machine (I can't afford anyway).

I'm rushing on this filing (it may have some errors) because I'll have an escort to drive down and drop it off today. I'm assuming the filing is still required.

I'm behind in my completion of www.publicforall.com explaining all the problems I've encountered in trying to bring this suit. I don't think any indigent unrepresented litigant could.

I've been trying to complete my statute of limitations filing regarding May 18, 2006 and hope the following attachments will be helpful in explaining my problems in doing so.

It would be nice to know the telephone extension number of the Mailroom. As well as the rest of the extension numbers I need to know. May 27: Reception (first 882-2100, nothing, then 882-2777, her voice sounded like "Elaine" who eventually picked up and) hung up on me after wasting 20 minutes trying to get a simple answer to a simple question about how mail is received there She wanted to know what my question was first before she connected me. I told her. She couldn't answer it. And just hung up. I never did get the Mailroom (it's listed as a department on the Court website). My filing wasn't accepted until a day after it was supposed to be and then rejected. I need to try to understand why.

And I don't know *who* sent me (or in fact actually wrote) the letter signed by David Yamasaki last May 7. If I were allowed a simple phone call to him it would help clear up a lot of these issues very quickly. The letter says: "*Mr. Mangers, I reiterate that Court administration have never been instructed to hang up on you, nor can we confirm that you were placed on hold for a long period of time.*"

Of course they can't I told Jim Rumble in a voice mail (whose only number I know and can leave voicemails for regarding all this). As long as these calls continue to be "monitored by Elaine" (or whoever in supervision is allowing and/or encouraging this behavior in receptionists) who have as yet to be **RECORDED for quality and training purposes**.

And Georgia Ku has as yet to fill out the MC-410 and file it along with the few pages she has I've requested of her. I think my requests are reasonable. And well within the court's capacity to accommodate.

I hope the following pages are self-explanatory. An additional page is the following *Explanation of the dismissals*.

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G. Mangers Vs The County Of Santa Clara, Et Al

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(Add pages as required)

Explanation of the dismissals.

Sheriff Laurie Smith is dismissed from this case without prejudice. Thomas Barnett is also dismissed without prejudice. Because from what I've read subsequently, I don't think it's called anti-trust. It looks more like RICO (if not *RICO-esque*). Or maybe a better term might be "*Enron-Valdez*". Anyway..

Sheriff Laurie Smith is dismissed from this case without prejudice.

And perhaps a bit of an apology. I think she may well have been there for me all along. Recently I learned that all of her appointments must be approved by the County Executive first. That's "diminished capacity". It wouldn't surprise me one bit if Dolores Carr has the same problem. As did George Kennedy and that I may well have to dismiss them both for the same reasons.

Indeed, Sheriff Laurie Smith is the only one I can trust to "get it right" in her office run by Budget Unit. And I have as yet no idea whatever as to whether she got the letter I sent her recently. Or if it was diverted from reaching her. By "Budget Unit" or someone. No one will tell me. I marked it "Personal". No one will even let me leave a voicemail for her. So I can tell it to her personally:

Sheriff Laurie Smith is dismissed from this case without prejudice.

To recapitulate a bit: on 4/1/09 I sent a copy of 1-08-CV-109152 to Lt. Larry Imas who asked to see it (finally someone actually did in their office, what a relief). So the Sheriff's office could fill out and mail the Proof of Service forms for me (I can't). After which Lt. Estella Frontella took over his telephone extension number. Maybe Doug Havig actually still is the head of their civil department "who knows?". In fact, I have no way whatever of proving who in fact actually did return the full copy of 1-08-CV-109152 that I mailed (with great difficulty for me personally) to Larry. I don't think Larry would have done that to me. I don't think he's the type. There's no name on the return address. Or a signature of anyone at all in the accompanying memorandi. Why send more copies to them just to have them returned again? Or be "shown the door" once more if I try to go over there again personally. I still don't know what they've sent out under my name. And as to whether it included the required ADR form, Notice and original complaint itself.

Sheriff Laurie Smith is dismissed from this case without prejudice.

I have to go back to 6/10/08 when Karen Miles hung up on me telling me someone would be calling me back without even allowing me to leave my telephone number. I called back and made Tess promise to get my message through to Laurie. Sgt. Rick Turini called me back the very next day with the right answer. That I originally asked them on 5-7-08. And after wasting a day with much grief, finally got the right answer for. Only a month later to have to ask it of them again.

A year later: No, not "hold", WHOLE, I explained to Undersheriff John Hirokawa "granted in whole", that means totally.

Sheriff Laurie Smith is dismissed from this case without prejudice.

And fear Tess may no longer be able to get through to her anymore either for me and my class: "Who's your supervisor?" I asked Tess. And to her answer: "Who's Karen Miles supervisor?" .. "Are you sure?".

It's why *unambiguous* organisation charts are so important. Which I requested from the Board of Supervisors in my speech serving them all last Feb 10. And still have as yet to see.

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On Sunday I went over to the Post Office in Oakridge Mall to mail this filing. The clerk asked me if I wanted a signature. I didn't know how to answer and said "yes". It sounded like a good idea. But may have delayed its delivery by a day. I was told delivery was guaranteed the next day before noon, maybe 6:30am was too early. I see the court clerk's stamp (next page of this filing) a day later on the 19th.

USPS Tracking log (from usps.com website):

Label/Receipt Number: EH75 8391 145U S
 Class: Express Mail®
 Status: Delivered
 Your item was delivered at 6:39 AM on May 19, 2009 in SAN JOSE, CA 95113.
 The item was signed for by E ERNESTO.

Detailed Results:

Delivered, May 19, 2009, 6:39 am, SAN JOSE, CA 95113
 Arrival at Pick-Up-Point, May 18, 2009, 7:17 am, SAN JOSE, CA 95113
 Arrival at Unit, May 18, 2009, 6:30 am, SAN JOSE, CA 95113
 Processed through Sort Facility, May 17, 2009, 11:32 pm, SAN JOSE, CA 95101
 Acceptance, May 17, 2009, 3:11 pm, SAN JOSE, CA 95123

 EH 758391145 US	 Customer Copy Label 11-B, March 2004 Post Office To Addressee																																																			
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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA**

Downtown Courthouse – Civil Division
 191 North First Street, San Jose, CA 95113
 (408) 882-2100



- **Self-Service Website:** www.sccselfservice.org. Providing information for those representing themselves in court.
- **Public Case Information Website:** www.scccseinfo.org. Providing access to local cases through online search & retrieval.
- **Main Website:** www.sccsuperiorcourt.org. Providing access to rules, forms, fees, locations & phone numbers.

Civil Filing Rejection Letter

	Case Number: <u>108CV109152</u>
	Case Title: _____

Dear Sir/Madam:

The Document is being returned for the following reason(s):

- The Civil Case Cover Sheet adopted by Rule 3.220 is missing. Please submit the cover sheet within 10 days of this Notice or you may be subject to sanctions under California Rules of Court, Rule 2.30.
- The case number is missing, incorrect, or incomplete.
- The documents **MUST** be on adopted Judicial Council forms. Forms are obsolete.
- The document is incomplete. Please complete information where "Red" check marks are placed.
- The document is missing an original signature.
- The document requires a \$ _____ Filing Fee or Waiver of Fees granted by this Court.
- The document is not in compliance with Rule 2.100-2.119 as follows:
 - Caption page required State Bar Number required
 - Two-hole punch and stapled Telephone number
- Request for Dismissal is incomplete. Please provide the information requested.
 - Complete: item 1a. item 1b.
 - item 2, need consent of Cross-Complaint Intervener Complaint
- An Order of Court is required prior to filing this document.
- The case was dismissed on: _____
- The document is filed in the incorrect Court.
- Other: 1. Order required to file 2nd amended complaint. 2. Defendant names not listed in caption.

Notes for Future Reference:

- To expedite your requests for Writs or Abstracts, please submit an **endorsed filed** copy of your judgment.
- Please enclose a self-addressed stamped envelope for the return of your copies.
- Please make checks payable to: Clerk Superior Court

Date:

MAY 19 2009

David H. Yamasaki, Chief Executive Officer

Clerk, by _____, Deputy

Clark Sakai

The Court staff is not authorized to give you legal advice or instruct you on which legal forms to use, as this constitutes an unauthorized practice of law. The Court recommends that you seek appropriate legal assistance.

CV-5020 REV 7/02/08

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G. Mangers Vs The County Of Santa Clara, Et Al

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(Add pages as required)

Forthwith

Thank you sir.

*"What *is* Mental Health?"*

"showing an interest"

It was good to hear it. And for the first time ever . From *anyone*.

And the accommodation I requested. Thanks for the encouragement.

Persistence and Courage do not come easily to me.

With all my heart and soul I've been struggling to comply with this Order since I received it from Judge Huber last year. Which isn't easy with all of the underlying problems I've been discovering delaying me. Which I must document that also have become a part of this suit. In helping to explain why an unrepresented litigant *"hasn't got a chance"* in this system. Especially a poor one. Let alone someone who's capacity has become diminished by it all. *Anyone* would become disabled from it. It's very frustrating to "know what it all is" and be held up by one's own inability to complete it. And "at the end of it all" realise I have a security problem after leaving the Postal Annex near here last President's Day. "James Bond" I'm not. I filed the accommodations request. And wish to thank the court for granting it (if only partially so far --I'm still waiting for Georgia Ku to file my MC-410 with the Presiding Judge. My disability happens to be very real and officially recognised (but is private, and for good reasons).

I wasn't expecting this to include such diverse entities as collection agencies, the Judiciary (on the issue of *cy prè*s), even the Bar itself, AT&T and the Social Security Administration (it would cause anyone to be late). And to include the issue of *cy prè*s. A word totally unknown to me until I tried to get some information and help on one of the items involved in this litigation from U.C. Berkeley involving the various privacy issues involved in this suit. And began to realise how important *cy prè*s is on a much deeper level in what lies behind this suit. Which makes me wonder about grants and trusts also (which I know nothing about) and if they're also meeting the standard that's expected of them. Further, I've been delayed by (of all things) court telephone receptionists. And find myself having to sue the court to have my calls (and those of my class of unrepresented litigants) through them (especially administrative receptionists) recorded *"for quality and training purposes"*. Monitoring, I've discovered, is useless (especially when monitored by those individuals who *are* the problem). Who won't tell me their full names (if any). Like 'Elaine' and 'Veronica'. Including the two at the AOC who would tell me nothing whatever to identify them with a complaint. Until I began telling them that I'm recording it, and John finally owned up to his first name. And little else after he told me what I was doing was illegal. Seems I have another issue I apparently need to litigate. The problem of completely unmonitored receptionists is serious. It results not only in delay but all sorts of grief for a vulnerable litigant. Receptionists are not there to *"discipline"* us if we complain about the problems they're creating for us. And delay us even more .. *"can you hold?"* .. *"what's your name?"* I asked .. *"can you hold"* For over an hour at a time, misdirecting calls, ignoring us, hanging up, not allowing us to talk to their supervisors. One at the AOC claiming all sorts of nonsense about me or what she perceived to be the situation. Instead of placing my calls as I requested. I still don't know who she was. In contrast, I got excellent communication when I called Yellow Cab after hearing the words *"this call may be recorded"* and received a fast, perceptive, intelligent and responsive answer to my question. All within 15 seconds or so. They better. After all, they'd be out of business if they didn't. Because I'd simply hang up and call some other cab company.

Anyway, sorry I'm late, I know it's still incomplete and far from perfect. But I've done the very best I can in all this. And with all due diligence. Hopefully enough parties will become joined to provide the assistance I will need to accomplish my task. Oddly, I find myself in need of organisation charts -- with *un-ambiguous* lines of supervision (not presently, but in May of 2006 and 2007). As well as that of the present court's administrative staff. With questions as to whether the county I'm suing still pays and controls them. All litigants (and especially the disadvantaged and unrepresented ones) have a right to organisation charts with (at least) telephone extension numbers and titles (and at least a first name). I'm starting to wonder if the *"secretaries are running the office"* at the court. Claiming to be *"the court"* itself when they clearly are not. Dissuading me from talking to judges. Why? The judges I've talked to so far (as well as the communication I've received in the letters from them) have rather impressed me. I'm starting to wonder why the letters (supposedly) I've been sent by staff members claiming to be "the court" *seem too much alike*.

Or not representative at all of the person I've talked to on the phone (e.g. Georgia Ku). Or the judges themselves. Or if they're indeed the same person responding each time. Anyway, I'm grateful to those among the staff who *have* been supportive. Like Joshua Zenzen, Carl Schulhof and the others I wish I knew the names of to credit them. Anyway, I'm hoping that once all of the parties are joined in this that the main burden of my work (primarily *'secretarial'*) will be over. I've been attending to this task virtually every single day for the last 3 years now. And with all due diligence: *"forthwith"*. Thank you. It meant a lot to me.

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Accountability

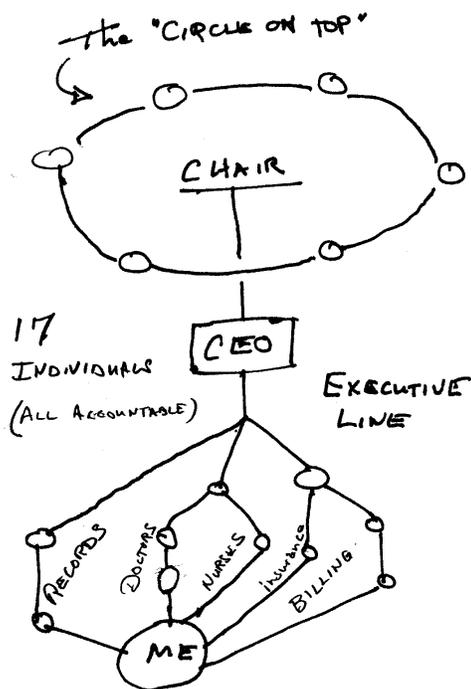
A line of supervision up to the "circle on top"

Section 379 (of the Civil Code of Procedure): I don't know why it looks like *"reverse class action"* to me.

Allowing one to sue up a line of supervision. To find out if and where it's broken (and why). *"Where the plaintiff is in doubt as to the person from whom he or she is entitled to redress, he or she may join two or more defendants, with the intent that the question as to which, if any, of the defendants is liable, and to what extent, may be determined between the parties."*

Defendants: a *line of accountability* up to (what I call for lack of a better term at the moment) the *"circle on top"*-- an Assembly, House, Senate, Congress, Council or **Board of Directors**, Trustees, Supervisors, Commissioners, Delegates, Governors, Regents etc. Which (typically) has a Chair. Who (supposedly) makes sure it's all run properly "all the way down" the "chain of command". Happily, most of the time it works. Unless there's a problem somewhere. Perhaps even an intractable one. That even the Grand Jury itself can do nothing about.

Why the "org-chart" is so important. Not now, but at the time of the incident. Accountability. And the importance of keeping a historical record of it. A public record. I still don't know what it actually is. And the names of everyone. This one is sort of an "estimate" of one entity:



Causes of Action (partial list)

- Writ of mandate** (for failing regulatory bodies)
- Obstruction of Justice** (of an unrepresented litigant)
- billing for services no sane person would ever request:*
- False procurement & collection, over-billing**
- Product Liability** (Mental Health)
- Malpractice** (both Legal and Medical)
- Civil Rights** (false imprisonment)
- Breach of informed consent** (actionable as battery)
- Fraud**
- Defamation**
- Privacy**
- RICO?**

Every individual member "from the top down" may split in different ways on each cause. Everyone is different. No two are alike. Including their 'Board' members. 10 causes of action: that's 20 lawyers. Not a million. Only the Summons.

"one or more may sue or defend for the benefit of all" And I have absolutely no idea how it will all "distill out" on "the other side" after they are all served and joined. Which will take a while.

Originally, I estimated the number of parties to be joined at somewhere between 500-1000. As I counted all the members of each 'Board of Directors' etc. and on down the management line of accountability to myself at the time. Until I realised that my problems are those of *everyone* in my class of *"unrepresented litigants"*. That Chief Justice Ronald George knows remains acute and has *urged* the Bar to do better on.

Enough with the *urging* already.

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1 By the way. I know absolutely nothing whatever of Judge Hyman. Other than his name. That I learned from Alice in the
 2 probate examiner's office 5-21-09. And that I've been developing some confidence in the judges I've met thus far.
 3 The upper part of this page is slightly modified from the filing that was rejected 5-19-09.

4 Hon. Eugene Hyman

5 I was *never asked* if I wished to be brought before a judge *by anyone* between May 18 and May 21 of 2006.
 6 Had I been, I would have definitely said "yes".

7 "The Superior Court judge would never allow it!" (Gloria Chacón)

8 I've been quite impressed with the judges I've met thus far at the court and it wouldn't surprise me one single bit if the judge
 9 overseeing temporary conservatorships at the time would be appalled by what has been allowed to happen to me and my class.
 I know *I* would. And demand answers to questions I don't even know myself how to ask yet. Indeed, I fear they might even
 10 take it as a personal snub should I not attempt to enjoin them in this suit. And dearly fear their wrath should I leave them out.

11 Section 382 of the Civil Code of Procedure:

*"If the consent of any one who should have been joined as plaintiff cannot be obtained, he may be made a defendant,
 12 the reason thereof being stated in the complaint.."*

13 Alas, the reason is that I don't yet know how to talk to a judge and get their consent in time.

14 Quest Diagnostics

(addended statute of limitations filing)

15 **Gerald E. Simon M.D.** (my sense is that he may well wish to join me as a *plaintiff*):

16 From my brief telephone conversations with him I actually rather like Dr. Simon who picks up my calls promptly and has
 17 always been responsive. It's just that I don't think he should be allowing his lab to be misused in the way it has by others
 18 (including its parent corporation). And he might well be an innocent party in all this. And wish to join me as a plaintiff under
 19 Section 382. Because I believe that Dr. Simon did indeed honor my request to have Quest's secret medical records sent to me
 20 only to have it countermanded by their corporate headquarters. I believe this because of his response in the call I made to him
 21 a year ago verifying he had indeed received my letter (with the explanation of how he himself could authorise their release
 22 and quite properly so, even under Section 1288) and told me that he had forwarded it on to the appropriate person there.
 23 Within 10 days (as I recall) I received a call from one of their corporate lawyers **Alison C. Hinds-Pearl** attempting to divert
 (which would only further delay) the delivery of my records through another party, Dr. Sastry. That I never authorised,
 requested or ever would actually. No sane person would. "yes or no?" Alison demanded. "No" I told her. After which she
 24 hung up. And never allowed me to explain it -- that these records are about me and as such I have a right to see
 25 "*at my pleasure and no one else's*". Including Dr. Sastry's. And I think I may have gotten Dr. Simon to agree with me on
 26 that one also: 4-17-08 is the date I see in my notes that tell me when I talked to Bonita Williams on the phone. Asking who
 the custodian of my records was. She told me (somewhat proudly I gathered) that she was the custodian of *all* of their records
 covering Northern California. In May of 2006? No, she was new there. How long? Since last September. The names of the
 previous custodians? Said she wasn't going to tell me. Told me she thought I was recording her (I wish I had). No, I told her
 "but I'm taking notes". After which she became quite emotional. Said I was harassing her. At which point there was nothing
 I could do but hang up. The records *never were* sent to me by their records department.

27 **I recall at the moment the beginning of a call in which she acknowledged having received the letter I
 sent to Dr. Simon requesting my records. And was looking at it** ..I don't think Dr. Simon is a defendant.

Bonita Williams is a defendant.

Alison C. Hinds-Pearl and Quest national also look like defendants. As do some others.

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MEDI-CAL

"Is there an officer in the house?"

"Hello.. Sacramento?" .. "Please choose from one of the following options.."

If MEDI-CAL shows no interest in this case as a plaintiff, they're a defendant.

California Department of Justice, Bureau of Medi-Cal Fraud, P.O. Box 944255, Sacramento, CA 94244-2550

I don't even *have* Medi-Cal.

How can a hospital bill for insurance I don't even have?

MEDI-CAL was quietly billed \$6065.25 by Fremont Hospital on May 24, 2006 of which they apparently paid \$3590.25 of on 5-24-06 which I gather was sent to a P.O. Box in Dallas TX. And I never found out. Because MEDI-CAL never told me. Or even sent me their statement showing the co-pay I owed (nor was I ever billed for this co-pay). I never authorised MEDI-CAL to pay this bill for me. No sane person would.

In fact, I didn't even find out about all this until Bill Bay at Fremont finally sent me the bill I requested long ago. And finally saw. Over 2 years later. Because I wanted to know who paid the bill and when they did. I still have too many unanswered questions on this one. I want to see signatures and dates. Jay Kellison told me the County of Santa Clara paid it: \$2211. But the bill says \$3590.25

Anyway, if I were MEDI-CAL (or the County or anyone else) I'd be asking for my money back.

In fact, I'd be asking for a lot of money back for a lot of people like me. As well as a lot of questions.

When I originally did this research back in 2008 I believe MEDI-CAL was still "Sandra Shewry" heading DHCS (Department of Health Care Services). Which I gather included MEDI-CAL.

"the Governor's Medi-Cal Fraud Task Force, which is chaired by the Director of DHCS" (i.e. Sandra Shewry) Who (I gather) back in May of 2006 was the director of CDHS (that included both hospital licensing *and* Medi-Cal). Until CDHS split into DHCS and CDPH--(who I gather must do hospital licensing now) directed by Dr. Mark Horton.

"DHCS officially came into existence on July 1, 2007, as part of the reorganization of the former Department of Health Services."

The Department of Health Services (CDHS) I understand was headed by Sandra Shewry in May 2006.

So it would seem that Albert Quintero's accountability must have changed from Sandra Shewry to Dr. Mark Horton. In the restructuring. And CDPH are the new "hospital cops" I would assume. Who I learned can only do what they're told to do. By the Governor. Through **Kimberly Belshé** at (CHHS). But I wasn't told that when I called CDPH asking who Mark Horton's supervisor was. Thinking next in line was the Governor. And so I never learned about another missing piece in the "line of accountability" in this. I could really use some unambiguous org-charts on it all.

"Kimberly Belshé was appointed .. by Governor Arnold Schwarzenegger in November 2003."

Which means she's accountable in *both* May of 2006 and 2007. As was Sandra Shewry also.

And that Dr. Mark Horton is *not* (apparently) a defendant. Interesting. **Kimberly Belshé** has overseen the quintupling (in as many years) of what our Grand Jury reported in 2003:

"a problem of discharging patients to appropriate levels of care".

12/16/08 (p 131 of my notes): I called DHCS (916 440-7735, 0) and told them I'm making a public record of the call. Only to wind up with some Valkyrie in their legal department reading off the Penal Code to me. Demanding me to stop. I asked her why she picked up knowing I was recording it. I called back eventually winding up having to ask the same question again. He told me he didn't consent to it. "You're a public official!" I told him. Trying to explain the rest to him. Until I heard the words:

"You're not going to get anywhere"

Anthony Lewis told me. Until I finish my filing and serving. "Thanks Tony, it means a lot to me" I told him. It did.

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Failure to inspect and advocate:*"..to calendar a court date to challenge a conservatorship.." (interesting phrase)*

Santa Clara County Public Defender - Mary J. Greenwood (in May of 2006 and 2007)
Nona Hughes told me (on 11/3/08, p 101 in my notes) that **Malorie Street** was responsible for EPS advocacy.
 Address: 120 West Mission Street, San Jose, CA 95110 Phone: (408) 299-7700

"Public Defender Representation .. Attorneys and paralegals from the Public Defender regularly visit psychiatric hospitals.." Regularly? How often? I never saw any.

".. and may be approached by any patient there. .."

How would a patient know if they're there anyway? If no one tells them.

"Additionally, a patient may call our office to speak with the Mental Health paralegal to calendar a court date to challenge a conservatorship. .."

If they're never told that at the hospital how can they? No one even told me their phone number.

"If you wish to reach this paralegal, please call the main office number at (408) 299-7700 .."

What if the pay phone doesn't work? Even if it did, they won't have any money to make the long distance call anyway from Fremont. Even if someone told them about it.

I called the Public Defender's office trying to find out how someone at EPS could get help from them. And was told someone from their office would always be there for them. I inquired a bit more about it. Having never seen any such person there. And then was told that actually a request would have to go through MHAP first. Before it could come to their office. Yes, Nona told me, they've won a few cases on the patient's behalf. And that she was really becoming uncomfortable talking to me about this (*why?*). Anyway, it was nice of her to fully identify herself to me when I asked at the beginning of the call. Few ever do. Unfortunately her answers just left me with a lot more questions. For Mary Greenwood.

9/30/08 (p 90 in my notes): I called the Alternate Defender's office (299-7200) thinking they might be helpful for those like myself seeking redress considering the "conflict of interest" issues involved. But was told that's not the type of "conflict of interest" they deal with.

Patients' Rights Advocates (May of 2006)

Patients' Rights Advocacy Office, 954 60th St., Ste. 10, Oakland, CA 94608 Phone 1-800-734-2504

The pamphlet says *"if you are unable to reach your patient's rights advocate you may contact:"*

California Office of Patients' Rights

100 Howe Ave., Suite 210N, Sacramento, CA 95825 Telephone: 916 575-1610

How can you call the 800 number on the pamphlet you're given at Fremont if the pay phone doesn't work? I saw no advocacy whatever from anyone on my behalf or anyone else's while I was there.

I had to call information while at EPS to get my sister's phone number. And from that my mother's. I don't have these 10-digit numbers memorised. And had I not had the foresight to write them down on scraps of paper beforehand and while I still could, I'd have been *completely* cut off while I was at Fremont. No one ever called either of them on my behalf. Or showed any interest whatever in doing so. I'm grateful for whoever violated their rules from behind the little window and eventually tossed a cell phone (patients are forbidden to have them) out to me as I wheeled myself back each time explaining how the pay phone at the end of the hall still didn't work.

I was never brought before a judge. Or told anything whatever about any of it. A year later (5/2/07) after having read the pamphlet inside the folder I was given, in curiosity called the 800 number on the back of it. Asked her name: "Pamela Brown". Oh, everyone was chatting away happily on the pay phone she told me when they were out there last. No problems or complaints I gathered. I asked who funds them: "Alameda County". It begs the question as to who's funding MHAP here in Santa Clara County. If the County is, I'd call it something like a case of the *"the county guarding the chicken coop"*.

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"As long as it takes"**Sylvia Romero** answered.

When I called her back a couple of years ago to ask her how long I'd have to discuss my medical records when I came in. I've never met Sylvia personally. She seemed pleasant over the phone. And helpful. And I very much appreciate her persistence in calling me back at the time making sure I'd have a chance to review my records at a point in my life whereupon I had become very discouraged about this whole thing. After having driven down many weeks earlier to request them personally.

Having said this I must now make her a defendant under Section 382 (hoping that she may wish to join me as a plaintiff). And because I doubt if she is in fact their original custodian. Which to my understanding must be a physician. If not, I'd think it definitely **should** be. An RHIT (Registered Health Information Technician) is not licensed by any governmental agency here in California. Only a physician (or nurse, as I presently understand) is. Unhappily, I must include Sylvia because of the state of the records. Which *"doing as she's told"* by her superiors (if not encouraged in it, be it passively or actively by them) probably isn't able to do much at all (if anything) about either in allowing this problem to continue.

The problem with the medical records is that they are incomplete. Lacking full printed names. And license numbers. Instead I see only barely decipherable scribbles (if not totally so) for far too many names. It makes one wonder *"what else is missing?"* that I've never been told about. How can you sue someone for what they did to you if you don't know who it was? "Dr. Lyn" was the best Linda Sweeny at El Camino could do in their records department there trying to decipher the scribble of the name of the doctor who in May of 2007 wrote simply "Needs [urgent?] hx" as the reason on the certification (apparently none other is for a patient whose condition is "stable") for my consignment to a mental hospital. As well as the rest in my class of LPS malpractice victims.

"Dr. Lyn" makes no sense to me whatever. No doctor with that name (to my knowledge) even lives around here. Let alone ever introduced themselves to me with that name while I was there. In fact *no one* ever told me their names while I was there.

Dr. Florence Keller

First let me state that I happen to like Dr. Keller. I think she's smart. And may have the answers to many (if not all) of my questions.

A couple of years ago, before I drove out to review my medical records with Valley Med, I made a list of questions in preparation for the appointment I had with them. I was expecting to meet Sylvia. Instead Bob came out from behind a door at what I gathered from a plaque indicated was their legal department and walked me over to another building. Parenthetically, I very much enjoyed meeting Bob. And think his intelligence and uplifting spirits would do wonders for *everyone* at EPS. Anyway, I wound up in what I gather was Dr. Keller's office who I met for the first time. I had spent quite a lot of time preparing this list of questions. Questions I quickly found out I wasn't even going to be able to *begin* to start to get answers for just as we were beginning to make some good headway. *"As long as it takes"* turned out to be about 20 minutes as I recall. After wasting literally weeks (if not years of my life) from it. Then billing me and my class thousands (if not millions from the others in my class) for it. Directing me to County Counsel. They haven't answered any of my questions either.

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1
2
3
4 Later I called Sylvia back needing to ask her for the name of the undecipherable doctor scribbled on my medical records who
5 consigned me the last time to El Camino Hospital (they can't figure out the name of the doctor either). All I recall at the
6 moment is Sylvia transferring me to another extension whereupon I heard this person being interrupted from our conversation
7 and was asked to wait. Only to wind up being told by her to call County Counsel. Who still hasn't given me any answers
8 either. Do *they* have my medical records? *Who* at County Counsel has them? Who gave them to them? When? No one had
9 been served yet. Further, I've called all over Valley Med trying to discover and *still* don't know the name of the physician
10 who's their original custodian. Which I need in order to complete my application for Social Security:

11 *"We will help you get any information and/or evidence you do not have. We will explain anything you do not understand."*
12 (**Peter D Spencer**, Regional Commissioner, Social Security Administration, wrote me in a letter last March 13, 2008).
13 Alas, call after call to their local office here (I was directed to in the last letter I was sent by them) have also been fruitless.

14 Just like my calls to County Counsel. Winding up in unreturned voice mail. The last I've heard from them was
15 *"We're very busy have a great weekend"* (**Jennifer Allmand** -- but I can't even absolutely prove that she was in fact
16 actually the person who said that. I've never seen any photo ID whatever to be able to prove that it was in fact her.

17 Or **Lori Pegg** for that matter either. In fact, the only one I think I might be able to identify as someone looking like Lori Pegg
18 might be the person I later saw sitting behind the podium with that name on the front of it. Who I gave a copy of my suit to
19 after she quietly surprised me on my right asking about it after I sat down. So I gave her a copy of it. All 137 (or so) pages
20 at the time. After I served everyone with it publicly in my speech in the 1 minute I was allowed last May 10 at their
21 Board of Supervisors meeting. Giving them all the case number, department and CMC date.

22 I still haven't heard anything from them.

23 **County Counsel** is beginning to look like a defendant.

24 It turns into a peculiar form of *"patient abandonment"*. That's become endemic in what the Grand Jury Reports refer to
25 as the County Mental Health System. I'm beginning to wonder if this illness may have somehow spread to the entire
26 county bureaucracy itself. There's no excuse for any of it. This is one of the richest counties in the world.

27
28
29 Everything has been "dead end" involving the County Mental Health System. No one returns calls. Eventually Bruce Copley
30 returned a few producing some token information. From what he tells me, I'm wondering if *anyone* is inspecting EPS. What
31 are the regulatory agencies responsible for it? Well, "j-co" (the Joint Commission), OSHA.. I already knew about those.
32 He never told me about the Public Defender's office. No one did. It all goes nowhere.

33 I didn't understand in my last telephone conversation with Dr. Keller (perhaps a year
34 or so ago) why she was so fearful of being sued by me. I have no issues with Dr. Keller
35 whatever. Other than a lot of unanswered questions that I must now sue her for
36 answers. And I believe she has them. As well as the Integrity to answer them truthfully.
37 *"You can't fix it.."* she told me. And I'm starting to wonder why she'd have had any
38 doubts about it whatever: *".. or maybe you can"*.

39
40
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I have no issues with Dr. Johnson other than he never saw me regarding it.

"Dr. Johnson advised of .. pain"

For which I can find no response whatever from him so far in the medical records I've been given.

"Dr. Johnson advised of pts #4 ABD / R flank pain" M. Frayer RN notes at "0830 5/19/06"

But I have no recollection of Dr. Johnson ever coming over to me and asking me anything about this pain whatever. Pain that could easily have been serious. Frayer quotes me saying "It started yesterday [after] I took the meds" which sounds pretty accurate.

I know if I were Dr. Johnson, having observed my condition walking around entirely pain free for almost a day, I'd be wanting to know something about this relationship between these pills I didn't want to take and the pain I came to be in. Pills I consistently refused. And now glad that I did. And for as long as I did. Until I was told I was going to be transferred and that if I wanted to get into a good hospital that I'd have to take the pills first.

Dr. Gartner makes no comment whatever of it either that I can find in her brief words later that day in the medical records. At least in the notes I can find so far. But it wouldn't surprise me if nothing exists from her either in them if she was the same person whose attention I could never get passing me by commenting about some trial she was involved in that no one will ever seem to discover the truth about either.

I think if I were a doctor I'd be asking my patient some questions about this pain and how it came about. And from the answers when I learned that my patient couldn't identify one of these pills because it was given to them in a paper cup and that the witness to it never did as she looked straight ahead before disappearing. And then hearing how this patient's legs became wobbly and found it difficult to stand after taking these pills. Well, I think I'd have some concerns. Indeed, at this point I think **any** doctor would. Not so much about this patient's condition (which I noticed). But a malpractice suit. Or worse, complicity in an assault and battery. I'd be asking a lot of questions of my staff. And making detailed notes of it all. To protect myself from such charges. Especially after word got back to me from Fremont that my patient was now *bedridden* from it. Indeed, I'd be extremely concerned and demand to be put in touch with this patient *immediately* for a debriefing.

But I see nothing whatever so far in my medical records with any doctor's comments or signatures or concerns in any of this. As well as in the notes from Fremont. Dr. Sastry: "**he was redirectable**" I certainly was. Maybe Jeffrey Cooper was too. I hope he won't be the next time. And regret having to list him as a defendant. Because I truly like him. But I don't even remember his name. Or if he ever even told it to me in the few minutes he examined me. And was led to believe he was a doctor. But nothing with his name on it was ever given to me to remember him with while I was there. I have no issues with **Dr. Devindar Singh** either. Other than I have no idea who he was and that he never introduced himself to me. And signed that inflated medical exam in my records that has far too many questions for me in it. Still unanswered. Including the driver who drove me home. Just "Sing" he told me explaining in India they don't have first and last names.

I didn't wish to inquire any further at the time. And just glad to be going home.

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"Margaret Ladesma obtained approval for a County contract backup if pt's insurance is not valid."
(R. Oconnor)

Why / who / where's the pressure coming from to pack these mental hospitals with patients that show
"No DTS DTO Behavior .. Awaiting acute hospitalization" (M Frayer RN)
(DTS: Dangerous To Self DTO: Dangerous To Others)

It "says it all".

I see the medical records packed with notes of their staff calling and calling hospital after packed hospital. Trying to get me in. Why? But never to anyone **I** knew and told them about: my sister, mother, doctor etc. (save the one call my mother received from Lilly whose name I wrote down on the consent form I never wanted to sign). Instead my sister and mother had to call and call *them*. Trying to get through a constant busy signal each time and eventually got through to **M Frayer RN** trying to explain it her:

"My son is not paranoid and does not need to be hospitalized"

In fact, it's in Frayer's own handwriting in the medical records acknowledging she was told this. Which was completely ignored.

"He does not socialize [with] staff or peers" (M Frayer RN)

The only social interest the staff ever showed in me was asking me for the details on what they needed to tell PacifiCare to get them to authorise payment for my hospitalisation.

Which I'm glad PacifiCare made difficult for them but wished they had asked me personally first for my authorisation and permission. Or that of a doctor I knew personally before authorising it. Or ask me if I'd like one of their (i.e. PacifiCare's) lawyers to help explain it all to them. Asking me if I had been given a lawyer to talk to before I had signed anything.

And hearing I hadn't and couldn't afford one, ask me if I would like one. Asking me if I'd like to get out of there instead. And sue all these people for a whole lot of money for what they were trying to pull off. Which they would have heard me eagerly answering "yes". Then put their lawyers and doctors on the phone for me to talk to.

But had I *not* said "yes", ask me if I was sure I knew what I was doing. Trying to explain to me that the whole thing sounds crazy to them. And advise me to get a second opinion. From a competent doctor. Not one of theirs.

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SHORT TITLE:

G. Mangers Vs The County Of Santa Clara, Et Al

CASE NUMBER:

1-08-CV-109152

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(Add pages as required)

"He does not socialize [with] staff or peers"

There was a woman there. I noticed her the next day I believe. The only person I physically touched while there. I went over to her and sat down next to her and put my arm around her shoulder. And kept it there for a considerable period of time. Actually, as long as I could. Saying nothing. And to my knowledge I was the only person to have done this while she was there.

You'd think there would be a record of this in the notes, wouldn't you? Inappropriate physical contact or something. Evidence of some sort of behavior problem because of some sort of mental illness. Causing me to be "DTO" (Dangerous To Others). If not myself ("DTS").

Indeed, I see a diagnosis of "bipolar" (quite wrong I'm afraid, don't mind if I were though) With boxes checked off that speak for themselves (along with the rest of the records):

"psychosis" .. "delusions" .. "psychotic symptoms"

Maybe that's why the certification paper says: **"Psych admission needed"** apparently no other reason is. Only a signature. And I can't even prove if this doctor named "C. Gartner" actually did sign it. Or who in fact did. Because these records still haven't been certified by their original custodian (a physician, I would assume, yes?). Who's identity is still completely unknown to me.

"0 apparent distress" comment the AMR paramedics who picked me up in their record.

"He does not socialize [with] staff or peers"

Someone needs to teach their staff how to *"chat someone up"*.

Another item missing from the records that should have been there is how my glasses were bent all out of shape. With the name of the person who held them up to the ceiling to inspect them. And the name of the other person there who came over to me and told me not to continue the conversation which I was perfectly comfortable with trying to convince some fellow I wasn't the person he thought I was. And felt in a few minutes of conversation I could.

I'm curious who both of them were. And why neither of them noted this event in the records (unless some are missing). Neither of them socialised with me. In fact, no one seemed to let me get to know who they were.

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Corrections to First Papers Brief (40 pages):

p. 30 of 40: Correction of last name spelling: **Sgt. James Randol** (not "Randall")

p. 6 of 40: should be "**Patients' Rights Advocates**" - not MHAP.

The stamp on the back of the pamphlet from Fremont Hospital says "**Patients' Rights Advocates**" - not MHAP. I had misplaced the pamphlet from Fremont for two years and only rediscovered it recently ~ 3-25-09 (confusing it with the pamphlet from El Camino Hospital). Patients' Rights Advocates (800) 734-2504, 9-5 M-F (message tape after office hours), 954 60th St., Ste 10, Oakland, CA 94608

Patients' Rights Advocates
954 60th St., Ste. 10
Oakland, CA 94608
800-734-2504

California Office of Patients' Rights
100 Howe Ave., Suite 210N
Sacramento, CA 95825
916 575-1610

p. 35 of 40: **Dr. Zumarraga *did* note in the medical records my request for Counsel.**

I *did* (finally on 6/4/08) find my request for Counsel in the medical records. In Dr. Zumarraga's handwritten notes that say: "5/26/07 ... 1600[hrs] Addendum - Wants for lawyer to review consent for medication form prior to signing it." (then her initials).

But it never happened. I had to take the medication that would make me more compliant to sign the forms I never wished to without the benefit of Counsel. Diminishing my capacity further. And would *never* have signed anything whatever in such a place knowing what I now do. Lesson: never sign anything without fully reading and understanding it. And especially in this case, without benefit of a lawyer to protect your interests. A lawyer that you know personally and that you trust. Because if they can't get you to sign it, a naive and uninformed loved one will suffice. And sign anything put in front of them. Quickly and "without question", "in order to get you out". Not having been told that your loved one (or you) have just "signed yourself in". At \$3000/day. Indeed, my wishes to stay at a motel instead are in the records also. And totally ignored. Indeed, I'm grateful to Motel 6 for finally solving my problem a half-year later. And not locking me inside trying to convince me there were all these things wrong with me and fearful to ask for my records that only made me feel worse and billing me \$32,000 for it. Gosh, Motel 6 even let me have a telephone in my room to help me solve it. All this and they only charged me \$60. Without changing my legal atatus or defaming me in any way whatever. Where I saw poor decent honest hard working people staying the night. And never paid the \$3000 they were far more deserving of. For all the hard work they did that day.

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