

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. **CV 85-4544 DMG (AGR<sub>x</sub>)** Date **June 29, 2015**

Title ***Jenny L. Flores v. Jeh Johnson, et al.*** Page **1 of 1**

Present: The Honorable **DOLLY M. GEE, UNITED STATES DISTRICT JUDGE**

**KANE TIEN**

Deputy Clerk

**NOT REPORTED**

Court Reporter

Attorneys Present for Plaintiff(s)  
None Present

Attorneys Present for Defendant(s)  
None Present

**Proceedings: IN CHAMBERS—ORDER TO SHOW CAUSE WHY BRYAN JOHNSON SHOULD NOT BE HELD IN CONTEMPT OF COURT FOR VIOLATING THE COURT’S ORDER RE CONFIDENTIALITY OF SETTLEMENT DISCUSSIONS**

It is the Court’s understanding that Bryan Johnson, Plaintiffs’ former consultant, signed an agreement agreeing to abide by the Court’s May 12, 2015 Order Re Confidentiality of Settlement Discussions (“May 12, 2015 Order”). On June 12, 2015, Plaintiffs notified the Court that on June 11, 2015, “a New York attorney [Bryan Johnson] retained by Plaintiffs’ class counsel as a consultant” had disclosed the Court’s April 24, 2015 tentative ruling in violation of the May 12, 2015 Order. [Doc. # 156.] On June 27, 2015, Plaintiffs again filed a notice informing the Court that Mr. Johnson had disclosed a draft settlement proposal prepared by plaintiffs’ class counsel. [Doc. # 159.]

The May 12, 2015 Order requires “counsel of record, employees of counsel or record, the named parties to this lawsuit . . . , expert consultants, and employees of the respective government entities” to “maintain the confidentiality of the discussions held between the parties and under no circumstances [to] discuss the tentative ruling with the media.” [Doc. # 152.]

Because the substance of the Court’s tentative ruling was discussed in open court on April 24, 2015 and a summary of it had been disseminated early on in the proceedings, the Court did not require Bryan Johnson to answer for his violation of the Court order with regard to the disclosure of the tentative ruling. It appears that the Court’s silence with regard to Mr. Johnson’s initial violation of the May 12, 2015 Order has emboldened Mr. Johnson to continue to violate the Court’s Order. The Court orders Mr. Johnson to show cause (“OSC”) why he should not be held in contempt of court and reported to the State Bar of New York for violating the Court’s May 12, 2015 Order with regard to non-disclosure of settlement negotiations. Mr. Johnson shall personally appear before this Court on **July 27, 2015 at 9:00 a.m.** He may file a written response to this OSC by no later than **July 20, 2015**.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. **CV 85-4544 DMG (AGR<sub>x</sub>)** Date June 29, 2015

Title ***Jenny L. Flores v. Jeh Johnson, et al.*** Page 2 of 1

---

Plaintiffs shall personally serve a copy of this OSC on Mr. Johnson and file a proof of service by no later than July 6, 2015.

**IT IS SO ORDERED.**