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5 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
6 IN AND FOR THE COUNTY OF ALAMEDA  
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8 LATASHA WINKFIELD, the Mother of Jahi  
McMath, a minor

9 Petitioner,

10 v.

11 CHILDREN'S HOSPITAL OAKLAND, Dr.  
David Durand M.D. and DOES 1 through 100,  
12 inclusive

13 Respondents

Case No. RG13-707598

TEMPORARY RESTRAINING ORDER  
FOLLOWING PETITION FOR EMERGENCY  
PROTECTIVE/RESTRAINING ORDER  
AUTHORIZING MEDICAL  
TREATMENT  
AND AUTHORIZING  
PETITIONER  
TO GIVE CONSENT TO  
MEDICAL TREATMENT;

[Prob. Code §§ 3200 *et seq.*, §§ 4600 *et seq.*]

14  
15 Date: December 20, 2013  
Time: 9:00 am  
16 Dept: 31

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18 The verified petition of Latasha Linkfield for a temporary restraining came before the  
19 Court upon Ex-Parte Application and for hearing at 1:30 p.m. in Department 31 the Honorable  
20 Evelio M. Grillo presiding.

21 After considering the Petition and the evidence offered in support of and opposition to the  
22 Petition, the Court finds that:

- 23 1. There exists a basis in law and in fact for the issuance of a temporary restraining  
24 order;
- 25 2. Failure to grant the Petition will potentially result in irreparable harm to the patient  
26 Jahi McMath and this order is necessary until such time as the Petitioner can obtain

1 her daughter's medical records and obtain an independent medical examination and  
2 the Court can hold further evidentiary hearing

3 **THEREFORE, IT IS ORDERED THAT:**

4 The Temporary Restraining Order is hereby granted precluding the Respondent from  
5 removing Petitioner from the ventilator or ending any of the current treatment and support  
6 provided by Respondent- in essence, the Court orders the respondent to maintain the "status quo"  
7 of treatment and support.

8 This Temporary Restraining Order orders the following:

- 9 1. Respondent CHO, its agents, employees, servants and independent contractors are  
10 ordered to continue to provide Jahi McMath with the treatment and support which is  
11 currently being provided as per the current medications and physicians orders until  
12 further order of the court.
- 13 2. The matter is set for hearing at 9:30 a.m. Monday December 23<sup>rd</sup> 2013 counsel to  
14 attend.
- 15 3. In the interim Archer Norris is Hereby Ordered to contact the group of five physicians  
16 identified in the hearing to locate one who would be able to conduct the tests,  
17 examination and evaluation of Jahi McMath contemplated by the Court on Monday  
18 December 23<sup>rd</sup> 2013, in accordance with the generally accepted medical standards for  
19 determining brain function/brain death.

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21  
22 Dated: December 20, 2013

23 \_\_\_\_\_  
24 Evelio Grillo  
25 Judge of the Superior Court  
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