



April 9, 2024

Honorable Scott D. Wiener, Chair  
Joint Legislative Budget Committee  
Senate Budget and Fiscal Review  
Committee

Honorable Jesse Gabriel, Chair  
Assembly Budget Committee

Honorable Anna M. Caballero, Chair  
Senate Appropriations Committee

Honorable Buffy Wicks, Chair  
Assembly Appropriations Committee

**Notification of Receipt and Approval of an Unanticipated Cost Funding Request from the Department of Consumer Affairs—Cemetery and Funeral Bureau**

Pursuant to Provisions 3 and 6 of Item 9840-001-0494, 2023 Budget Act, the Department of Finance is transmitting the attached unanticipated cost funding request from the Cemetery and Funeral Bureau within the Department of Consumer Affairs, which was received on March 29, 2024. This letter serves as the 15-day and 30-day notification.

The Cemetery and Funeral Bureau entered into a settlement agreement for the sum of \$525,000 in January 2024 related to a lawsuit filed against the Bureau and is required to make payment on or before May 17, 2024. With the additional settlement costs, information from year-to-date expenditures through January 2024, and projected operational expenditures for the remainder of the fiscal year, the Board expects to spend approximately \$7,223,000, resulting in a current year expenditure authority deficit of \$447,000. To account for possible variances with the Bureau's year-end expenditure estimates, the Bureau is requesting unanticipated cost funding of \$525,000, the full cost of the settlement agreement. The Cemetery and Funeral Fund has a sufficient fund balance to cover these additional costs.

Finance has completed the review of the proposal and concurs with the request. Expenditure authority for this unanticipated cost request will be provided from Item 9840-001-0494, Augmentations for Contingencies or Emergencies, in the amount of \$525,000. A waiver of the 30-day review period is requested to allow the Bureau to pay the settlement on or before May 17, 2024.

If you have any questions or need additional information regarding this matter, please call Charlene Manning, Principal Program Budget Analyst, at (916) 445-8913.

JOE STEPHENSHAW

Director

By:



ERIKA LI

Chief Deputy Director

Attachment

cc: Honorable Sharon Quirk-Silva, Chair, Assembly Budget Subcommittee No. 5  
Honorable Steve Padilla, Chair, Senate Budget and Fiscal Review  
Subcommittee No. 4  
Honorable Roger W. Niello, Vice Chair, Senate Budget and Fiscal Review  
Committee  
Honorable Vince Fong, Vice Chair, Assembly Budget Committee  
Gabriel Petek, Legislative Analyst (3)  
Elisa Wynne, Staff Director, Senate Budget and Fiscal Review Committee  
Kirk Feely, Fiscal Director, Senate Republican Fiscal Office  
Christopher W. Woods, Senate President pro Tempore's Office (2)  
Christian Griffith, Chief Consultant, Assembly Budget Committee  
Joseph Shinstock, Fiscal Director, Assembly Republican Caucus, Office of Policy  
and Budget  
Paul Dress, Caucus Co-Chief of Staff, Assembly Republican Leader's Office  
Katja Townsend, Capitol Director, Assembly Republican Leader's Office  
Jason Sisney, Assembly Speaker's Office (2)  
Mark McKenzie, Staff Director, Senate Appropriations Committee  
Jay Dickenson, Chief Consultant, Assembly Appropriations Committee  
Amy Manasero, Deputy Secretary of Fiscal Policy and Administration, Business,  
Consumer Services, and Housing Agency  
Brian Skewis, Budget Manager, Business, Consumer Services, and Housing Agency  
Kimberly Kirchmeyer, Director, Department of Consumer Affairs  
Nicole Le, Deputy Director, Administration, Department of Consumer Affairs  
Taylor Schick, Chief Fiscal Officer, Department of Consumer Affairs  
Robert de los Reyes, Assistant Chief Fiscal Officer, Department of Consumer Affairs

**I. APPROPRIATION/FUND TO BE ADJUSTED**

DEPARTMENT: Consumer Affairs	ITEM NUMBER: 9840-001-0494	
FUND: 0717 – Cemetery and Funeral Fund	AMOUNT OF FUNDING REQUESTED: \$525,000	FISCAL YEAR: 2023-24

**II. JUSTIFICATION FOR REQUEST (Please provide the following information: reason for expense and basis of determination that the expense is needed.)** DOF may not approve requests for: (a) capital outlay funding, (b) prior year expenses, (c) expenses related to legislation enacted without an appropriation, (d) startup costs of programs not yet authorized by the Legislature, (e) costs that could have been included in May Revision, and (f) costs that the Administration has the discretion to incur or not incur. (Use attachments if additional space is needed.)

See attached justification.

**III. EMERGENCY NOTIFICATION**

Is this an emergency request for funding unanticipated costs? (An emergency request is for expenses incurred in response to conditions of disaster or extreme peril that threaten the immediate health or safety of persons or property in this state.)

NO

YES (If yes, please provide reason for expense and basis for determining this an emergency. Use attachments if additional space is needed.)

**IV. PROVIDE A DETAILED EXPLANATION OF ALL LEGALLY PERMISSIBLE STEPS THAT HAVE BEEN TAKEN TO AVOID ADDITIONAL COSTS, (e.g., reduce spending, etc.) (Add attachments if additional space is needed.)**

See attached justification.

**V. WAS THIS NEED FOR FUNDING PREVIOUSLY DENIED IN A LEGISLATIVE BUDGET COMMITTEE ACTION? (Use attachments if additional space is needed.)**

NO

YES (when and why?)

**VI. MONTH AND YEAR WHEN SPENDING AUTHORITY TO OBLIGATE FUNDS (not make cash payment) WILL BE NEEDED.**

Month: May Year: 2024

**VII. REQUESTING DEPARTMENT**

Approved By: Taylor Schick Title: Chief Fiscal Officer Date: 3/7/2024

**VIII. AGENCY SECRETARY (IF APPROPRIATE)**

Approved By: Tomiquia Moss Date: Mar 25, 2024  
Tomiquia Moss (Mar 25, 2024 16:52 PDT)

**IX. DEPARTMENT OF FINANCE**

Date Received: \_\_\_\_\_ Date of Notice to Legislature: 4/9/2024

# DF-580 - Cemetery Funeral - 2023-24 Unanticipated Cost Request

Final Audit Report

2024-03-25

Created:	2024-03-25
By:	Patricia Ochoa (patricia.ochoa@bcsh.ca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAs871-JSG7Ihf2Hc2Ud_DjosVjC2YsmzY

## "DF-580 - Cemetery Funeral - 2023-24 Unanticipated Cost Request" History

-  Document created by Patricia Ochoa (patricia.ochoa@bcsh.ca.gov)  
2024-03-25 - 11:50:18 PM GMT- IP address: 208.127.185.130
-  Document emailed to Tomiquia Moss (Tomiquia.Moss@bcsh.ca.gov) for signature  
2024-03-25 - 11:50:47 PM GMT
-  Email viewed by Tomiquia Moss (Tomiquia.Moss@bcsh.ca.gov)  
2024-03-25 - 11:51:24 PM GMT- IP address: 130.41.249.59
-  Document e-signed by Tomiquia Moss (Tomiquia.Moss@bcsh.ca.gov)  
Signature Date: 2024-03-25 - 11:52:34 PM GMT - Time Source: server- IP address: 130.41.249.59
-  Agreement completed.  
2024-03-25 - 11:52:34 PM GMT



**Cemetery & Funeral Bureau**

1625 North Market Blvd., Suite S-208, Sacramento, CA 95834  
Phone: (916) 574-7870 Fax: (916) 928-7988 | [cfb.ca.gov](http://cfb.ca.gov)



March 29, 2024

TO: Amy Asencio, Program Budget Analyst  
Department of Finance

Via: Tomiquia Moss, Secretary  
Business Consumer Services and Housing Agency

Via: Kimberly Kirchmeyer, Director  
Department of Consumer Affairs

FROM: Gina Sanchez, Bureau Chief  
Cemetery and Funeral Bureau

SUBJECT: Current Year Expenditure Deficiency – Civil Action Settlement

Pursuant to the Budget Act of 2023 (Chapter 12, Statutes of 2023) item 9840-001-0494 and based on fiscal year 2023-24 expenditures projections through January 2024, the Cemetery and Funeral Bureau (Bureau) is requesting a budget augmentation of \$525,000 to pay a settlement pursuant to a consent order issued related to United States District Court, Eastern District of California, Case No. 2:20-cv-01306 (Full Circle of Living and Dying, et al. v. Sanchez, et al.).

The consent order, issued on January 17, 2024, requires payment of the settlement in full, upon certification of the funds by the Department of Finance, on or before 120 days after the entry of this order. Based on that timeline, the settlement payment is due from the Bureau on or before May 17, 2024.

As of Fiscal Month (FM) 7, the Bureau has expended approximately \$4,337,000, or 64 percent of its \$6,776,000 budget and is projected to expend a total of \$6,698,000 by year end. With the inclusion of the settlement payment of \$525,000, the Bureau anticipates exceeding its budget authority by approximately \$447,000. The Bureau is unable to pay the settlement within its existing appropriation for 2023-24 and will require a budget augmentation for the full \$525,000 to pay the settlement in the current fiscal year. Assuming the budget augmentation request is approved, the Bureau is estimated to revert \$78,000, or one percent of its overall budget.

If you have any questions, please contact the DCA Budget Office at (279) 278-5833. Thank you for your time and consideration of this request.

**Attachments:**

1. Cemetery and Funeral Expenditure Projections (Through Fiscal Month 7)
2. Fund Condition Statement (Fund 0717)
3. United States District Court Consent Order (Dated January 17, 2024)
4. DF-580 – Unanticipated Cost Request

cc: Amy Manasero, Deputy Secretary of Fiscal Policy and Administration, Business, Consumer Services, and Housing Agency  
Kimberly Kirchmeyer, Director, Department of Consumer Affairs  
Nicole Le, Deputy Director, Administration, Department of Consumer Affairs  
Taylor Schick, Chief Fiscal Officer, Department of Consumer Affairs  
Robert de los Reyes, Assistant Chief Fiscal Officer, Department of Consumer Affairs

Department of Consumer Affairs  
 Expenditure Projection Report  
 Cemetery and Funeral Bureau  
 Reporting Structure(s): 11116710 Support  
 Fiscal Month: 7  
 Fiscal Year: 2023 - 2024

PERSONAL SERVICES

Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5100	PERMANENT POSITIONS	\$2,287,000	\$200,554	\$1,349,922	\$0	\$1,349,922	\$2,340,424	-\$53,424
5100	TEMPORARY POSITIONS	\$53,000	\$8,336	\$18,016	\$0	\$18,016	\$35,951	\$17,049
5105-5108	PER DIEM, OVERTIME, & LUMP SUM	\$7,000	\$215	\$15,978	\$0	\$15,978	\$15,978	-\$8,978
5150	STAFF BENEFITS	\$1,358,000	\$119,289	\$804,786	\$0	\$804,786	\$1,395,296	-\$37,296
<b>PERSONAL SERVICES</b>		<b>\$3,705,000</b>	<b>\$328,394</b>	<b>\$2,188,703</b>	<b>\$0</b>	<b>\$2,188,703</b>	<b>\$3,787,649</b>	<b>-\$82,649</b>

OPERATING EXPENSES & EQUIPMENT

Fiscal Code	Line Item	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5301	GENERAL EXPENSE	\$197,000	\$2,735	\$6,731	\$2,140	\$8,871	\$12,330	\$184,670
5302	PRINTING	\$14,000	\$0	\$6,775	\$33,760	\$40,534	\$41,034	-\$27,034
5304	COMMUNICATIONS	\$61,000	\$1,270	\$4,847	\$0	\$4,847	\$14,664	\$46,336
5306	POSTAGE	\$59,000	\$0	\$5,974	\$0	\$5,974	\$10,838	\$48,162
5308	INSURANCE	\$2,000	\$0	\$2,871	\$0	\$2,871	\$2,909	-\$909
53202-204	IN STATE TRAVEL	\$65,000	\$4,440	\$20,816	\$0	\$20,816	\$50,727	\$14,273
53206-208	OUT OF STATE TRAVEL	\$0	\$0	\$601	\$0	\$601	\$601	-\$601
5322	TRAINING	\$7,000	\$955	\$6,513	\$0	\$6,513	\$7,788	-\$788
5324	FACILITIES	\$197,000	\$10,367	\$72,182	\$49,928	\$122,109	\$129,311	\$67,689
53402-53403	C/P SERVICES (INTERNAL)	\$609,000	\$42,186	\$273,707	\$0	\$273,707	\$552,020	\$56,980
53404-53405	C/P SERVICES (EXTERNAL)	\$342,000	\$17,442	\$104,762	\$230,568	\$335,331	\$365,012	-\$23,012
5342	DEPARTMENT PRORATA	\$1,237,000	\$0	\$900,750	\$0	\$900,750	\$1,237,000	\$0
5342	DEPARTMENTAL SERVICES	\$110,000	\$28,363	\$37,882	\$0	\$37,882	\$85,930	\$24,070
5344	CONSOLIDATED DATA CENTERS	\$13,000	\$137	\$684	\$0	\$684	\$3,984	-\$20,984
5346	INFORMATION TECHNOLOGY	\$215,000	\$35,842	\$38,685	\$315,970	\$354,654	\$359,114	-\$144,114
5362-5368	EQUIPMENT	\$46,000	\$55	\$19,106	\$5,909	\$25,015	\$26,886	\$19,114
5390	OTHER ITEMS OF EXPENSE	\$28,000	\$1,104	\$2,824	\$0	\$2,824	\$6,784	\$21,216
54	SPECIAL ITEMS OF EXPENSE	\$0	\$2,944	\$3,929	\$0	\$3,929	\$535,238	-\$535,238
<b>OPERATING EXPENSES &amp; EQUIPMENT</b>		<b>\$3,202,000</b>	<b>\$147,840</b>	<b>\$1,509,638</b>	<b>\$638,275</b>	<b>\$2,147,912</b>	<b>\$3,472,170</b>	<b>-\$270,170</b>

<b>OVERALL TOTALS</b>		<b>\$6,907,000</b>	<b>\$476,234</b>	<b>\$3,698,341</b>	<b>\$638,275</b>	<b>\$4,336,615</b>	<b>\$7,259,819</b>	<b>-\$352,819</b>
REIMBURSEMENTS		-\$131,000					-\$37,000	
<b>OVERALL NET TOTALS</b>		<b>\$6,776,000</b>	<b>\$476,234</b>	<b>\$3,698,341</b>	<b>\$638,275</b>	<b>\$4,336,615</b>	<b>\$7,222,819</b>	<b>-\$446,819</b>
								<b>-6.59%</b>

Department of Consumer Affairs  
Expenditure Projection Report  
Cemetery and Funeral Bureau  
Reporting Structure(s): 11116710 Support  
Fiscal Month: 7  
Fiscal Year: 2023 - 2024  
W\_CY Deficiency

PERSONAL SERVICES

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5308	INSURANCE	\$2,000	\$0	\$2,871	\$0	\$2,871	\$2,909	-\$909
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5322	TRAINING	\$7,000	\$955	\$6,513	\$0	\$6,513	\$7,788	-\$788
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5390	OTHER ITEMS OF EXPENSE	\$28,000	\$1,104	\$2,824	\$0	\$2,824	\$6,784	\$21,216
54	SPECIAL ITEMS OF EXPENSE	\$525,000	\$2,944	\$3,929	\$0	\$3,929	\$535,238	-\$10,238

5490000000	Other Special Items of Expense	\$525,000	\$2,944	\$3,929	\$0	\$3,929	\$535,238	-\$10,238
<b>OPERATING EXPENSES &amp; EQUIPMENT</b>		<b>\$3,727,000</b>	<b>\$147,840</b>	<b>\$1,509,638</b>	<b>\$638,275</b>	<b>\$2,147,912</b>	<b>\$3,472,170</b>	<b>\$254,830</b>

<b>OVERALL TOTALS</b>		<b>\$7,432,000</b>	<b>\$476,234</b>	<b>\$3,698,341</b>	<b>\$638,275</b>	<b>\$4,336,615</b>	<b>\$7,259,819</b>	<b>\$172,181</b>
<b>REIMBURSEMENTS</b>		<b>-\$131,000</b>					<b>-\$37,000</b>	
<b>OVERALL NET TOTALS</b>		<b>\$7,301,000</b>	<b>\$476,234</b>	<b>\$3,698,341</b>	<b>\$638,275</b>	<b>\$4,336,615</b>	<b>\$7,222,819</b>	<b>\$78,181</b>

1.07%



**0717 - Cemetery & Funeral Bureau Analysis of Fund Condition**  
**(Dollars in Thousands)**

Prepared March 2024

2024-25 Governor's Budget + CY Expenditure & Revenue Projections (thru fiscal month 7) + CY Deficiency	ACTUAL 2022-23	CY 2023-24	BY 2024-25	BY +1 2025-26	BY +2 2026-27
<b>BEGINNING BALANCE</b>	\$ 3,571	\$ 2,664	\$ 1,558	\$ 1,132	\$ 912
Prior Year Adjustment	\$ 99	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 3,670	\$ 2,664	\$ 1,558	\$ 1,132	\$ 912
<b>REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>					
Revenues					
4121200 - Delinquent fees	\$ 73	\$ 83	\$ 80	\$ 80	\$ 80
4127400 - Renewal fees	\$ 1,749	\$ 2,585	\$ 2,651	\$ 2,651	\$ 2,651
4129200 - Other regulatory fees	\$ 2,871	\$ 3,487	\$ 3,734	\$ 3,734	\$ 3,734
4129400 - Other regulatory licenses and permits	\$ 378	\$ 385	\$ 361	\$ 361	\$ 361
4163000 - Income from surplus money investments	\$ 81	\$ 90	\$ 39	\$ 13	\$ 6
4171400 - Escheat of unclaimed checks and warrants	\$ 4	\$ 3	\$ 3	\$ 3	\$ 3
4172500 - Miscellaneous revenues	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues	\$ 5,156	\$ 6,633	\$ 6,868	\$ 6,842	\$ 6,835
<b>TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>	\$ 5,156	\$ 6,633	\$ 6,868	\$ 6,842	\$ 6,835
<b>TOTAL RESOURCES</b>	\$ 8,826	\$ 9,297	\$ 8,426	\$ 7,974	\$ 7,747
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 5,751	\$ 6,698	\$ 6,756	\$ 6,590	\$ 6,848
CY Deficiency	\$ -	\$ 525	\$ -	\$ -	\$ -
9892 Supplemental Pension Payments (State Operations)	\$ 93	\$ 93	\$ 66	\$ -	\$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 318	\$ 423	\$ 472	\$ 472	\$ 472
<b>TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS</b>	\$ 6,162	\$ 7,739	\$ 7,294	\$ 7,062	\$ 7,320
<b>FUND BALANCE</b>					
Reserve for economic uncertainties	\$ 2,664	\$ 1,558	\$ 1,132	\$ 912	\$ 428
Months in Reserve	4.1	2.6	1.9	1.5	0.7

**NOTES:**

Assumes workload and revenue projections are realized in BY and ongoing Expenditure growth projected at 3% beginning BY.

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*Attorneys for Defendants Gina Sanchez,  
Kimberly Kirchmeyer, and Lourdes Castro  
Ramirez*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

Full Circle of Living and  
Dying, et al.,  
  
*Plaintiffs,*  
  
v.  
  
Gina Sanchez in her official capacity as  
Bureau Chief of the Cemetery and Funeral  
Bureau, et al.,  
  
*Defendants.*

No. 2:20-cv-01306-KJM-KJN

**CONSENT ORDER**

1           1.       The court has subject matter jurisdiction over this action under 28 U.S.C. § 1331,  
2 42 U.S.C. § 1983, and the First and Fourteenth Amendments to the U.S. Constitution.

3           2.       Venue is proper in the Eastern District of California under 28 U.S.C. § 1391  
4 because defendant officials of the State of California may be found within the District in  
5 Sacramento.

6           3.       Plaintiffs have standing.

7           4.       On January 24, 2023, the court entered an order on the parties' cross-motions for  
8 summary judgment, which granted judgment and a permanent injunction. Summ. J. Order, ECF  
9 No. 63.

10          5.       The court entered a permanent injunction on February 13, 2023, reflecting the  
11 conclusions from the summary-judgment order and the parties' agreed language for the terms of  
12 the permanent injunction. Permanent Inj., ECF No. 65.

13          6.       The parties agree that the summary-judgment order and permanent injunction shall  
14 remain in full effect as to all issues not reserved for trial. The parties do not intend to alter the  
15 court's order or permanent injunction, and they intend for the order and permanent injunction to  
16 remain fully enforceable by this court.

17          7.       In its summary-judgment order, the court denied summary judgment to both parties  
18 and reserved for trial the issue of whether the Cemetery and Funeral Bureau can cite Full Circle's  
19 doulas for acting as unlicensed funeral directors when they provide "hands-on" services. Summ.  
20 J. Order at 29, 31–32. As reflected in the court's final pretrial order, that issue turned on two  
21 questions: "(1) whether Full Circle's doulas are subject to funeral-director licensure when they  
22 assist with home funerals, such as when they help wash, dress, reposition, and place a cooling  
23 mechanism (e.g., dry ice), around a body, and when they procure cooling mechanisms for families  
24 of the deceased; and (2) whether the United States Constitution permits requiring Full Circle's  
25 doulas to be licensed funeral directors to provide those services." Final Pretrial Order at 7, ECF  
26 No. 72.

27          8.       The parties have reached a complete agreement as to the first question. None of  
28 Full Circle's hands-on activities described in paragraph 9 fall within the statutory requirements to

1 obtain a funeral-director license under Business and Professions Code § 7615, when performed  
2 consistent with the conditions described in paragraphs 9 and 10. Thus, the Bureau (on behalf of  
3 all Defendants) has agreed that it will not cite or take other adverse action against Full Circle and  
4 its doulas for performing the hands-on activities described in paragraphs 9 and 10 without funeral-  
5 director licenses. Nor will the Bureau cite Full Circle and its doulas for advertising the hands-on  
6 activities described in paragraphs 9 and 10, or for offering guidance about how to perform such  
7 activities.

8 9. Specifically, the parties agree that Full Circle and its doulas perform the following  
9 hands-on services, *see* Summ. J. Order at 21:

- 10 a. Relocating or positioning the body of the deceased within a home;
- 11 b. Washing the body;
- 12 c. Dressing the body;
- 13 d. Placing a cooling mechanism (e.g., dry ice) around the body; and
- 14 e. Procuring cooling mechanisms for families of the deceased.

15 10. Defendants agree that these hands-on activities fall outside the scope of Business  
16 and Professions Code section 7615 under the following circumstances:

- 17 a. The activities are performed to prepare for a funeral conducted at a home  
18 that is not a funeral establishment.
- 19 b. The activities are performed at the direction of, or on behalf of, a person  
20 with the right to control the disposition of a decedent's remains pursuant to  
21 Health and Safety Code section 7100.
- 22 c. Full Circle and its doulas do not otherwise prepare, direct, or supervise the  
23 burial or disposal of human remains.

24 11. Because the parties agree that the funeral-licensing statutes do not require Full  
25 Circle and its doulas to become individually licensed as funeral directors when performing  
26 activities consistent with paragraphs 9 and 10, the second question reserved for trial—does such a  
27 requirement violate the U.S. Constitution—is now moot.  
28

1           12.     The parties agree that defendants will pay plaintiffs \$525,000, which resolves any  
2 claim for attorneys' fees. Defendants shall make such payment upon certification of the funds or  
3 approval by the California Department of Finance, on or before 120 days after entry of this order.  
4 If, however, payment has not been made within that time, defendants shall owe nothing pursuant  
5 to this paragraph and plaintiffs may move this court for an award of fees pursuant to 42 U.S.C.  
6 § 1988. Accordingly, the deadline for any fees motion is extended to 180 days from entry of this  
7 order, pursuant to Federal Rule of Civil Procedure 54(d)(2).

8           13.     The parties stipulate, and the court agrees, that entry of this consent order fully  
9 resolves this case. The parties agree not to appeal the summary-judgment order, permanent  
10 injunction, entry of this consent order, or any other aspect of this action.

11           14.     The court shall retain jurisdiction to monitor and enforce the terms of the parties'  
12 agreement. *See Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 381 (1994); *K.C. ex rel.*  
13 *Erica C. v. Torlakson*, 762 F.3d 963, 967 (9th Cir. 2014).

14           15.     This consent order constitutes a final judgment for the purposes of Rule 58 and  
15 terminates this case, except insofar as the court retains jurisdiction to enforce its terms.

16           IT IS SO ORDERED.

17           DATED: January 17, 2024.

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CHIEF UNITED STATES DISTRICT JUDGE