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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

**HANFORD EXECUTIVE
MANAGEMENT EMPLOYEE
ASSOCIATION, et al.,**

Plaintiffs,

v.

CITY OF HANFORD, et al.,

Defendants.

1:11-CV-00828 AWI DLB

**ORDER GRANTING APPLICATION
FOR AMENDMENT OF COURT'S
NOVEMBER 17, 2011 ORDER TO
ALLOW ADDITIONAL TIME IN
WHICH TO FILE A FIRST
AMENDED COMPLAINT**

[Doc. #31]

On November 17, 2011, the court granted in part and denied in part Defendants’ motion to dismiss the complaint and denied Plaintiffs’ motion for a preliminary injunction (“November 17, 2011 Order”). The court found that two of Plaintiffs’ claims stated a claim: (1) Plaintiffs’ first claim for relief against Defendant Straus for violations of Plaintiffs’ rights to freedom of speech, association, and collective activity under the First Amendment, and (2) Plaintiffs’ fourth claim for relief against Straus and the individual City Council Member Defendants for violations of Plaintiffs’ rights to freedom of speech, association, and collective activity under the California Constitution. The court dismissed Plaintiffs’ second, third, fifth, sixth, seventh, ninth, tenth, and eleventh claims with leave to amend. The court further concluded that the individual City Council Member Defendants are entitled to absolute legislative immunity with respect to Plaintiffs’ first claim for relief based on the complaint’s allegations; But, Plaintiffs were given

1 leave to amend to allege facts relating to Defendants' failure to comply with the City of
2 Hanford's Rules and Regulations. The court ordered that any amended complaint must be filed
3 within twenty-one (21) days of the filing of the November 17, 2011 order.

4 On December 1, 2011, Plaintiffs filed an application for an order amending the November
5 17, 2011 Order to permit additional time to file an amended complaint pursuant to the November
6 17, 2011 Order. Plaintiffs state that they intend to seek reconsideration of the court's November
7 17, 2011 Order, and Plaintiffs ask for twenty-one (21) days after the court issues an order on any
8 reconsideration motion in which to amend. Plaintiffs indicate that Defendants do not oppose
9 this request.

10 Accordingly, the court ORDERS that:

- 11 1. Plaintiff's application is GRANTED;
- 12 2. The November 17, 2011 Order is AMENDED to provide that Plaintiffs have
13 twenty-one (21) days from the filing date of any order on Plaintiffs'
14 reconsideration motion to file an amended complaint; and
- 15 3. Any motion for reconsideration by Plaintiffs SHALL BE FILED no later than
16 December 15, 2011.

17 IT IS SO ORDERED.

18 Dated: December 2, 2011

19 
20 CHIEF UNITED STATES DISTRICT JUDGE