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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RAMON JERMAINE SAPP,

Plaintiff,

No. C 03-1066 PJH

v.

**ORDER VACATING  
JUDGMENT**

COUNTY OF ALAMEDA, et al.,

Defendants.

\_\_\_\_\_ /

The court is in receipt of a September 8, 2006 letter filed by counsel for defendant Alameda County Medical Center aka Highland Hospital ("Highland Hospital"). In it, defendant points out that the court's entry of judgment in the case on August 29, 2006, was based upon erroneous information provided by separate defense counsel on August 22, 2006, indicating that judgment was warranted in view of (1) the parties' earlier stipulated request for dismissal, and (2) the court's prior ruling on defendant Highland Hospital's summary adjudication motion.

In fact, Highland Hospital is correct that, although a stipulated dismissal was filed for all defendants except Highland Hospital and summary adjudication granted in Highland Hospital's favor, it appears that two causes of action still remain against Highland Hospital, as stated in plaintiff's third amended complaint: (1) plaintiff's first cause of action for professional negligence; and (2) plaintiff's third cause of action for negligence.

Accordingly, the court hereby VACATES the judgment pursuant to Federal Rule of Civil Procedure 60(a), and further ORDERS that the remaining parties attend a case management conference to be held on **September 28, 2006**, at 2:30 p.m., Courtroom 3,

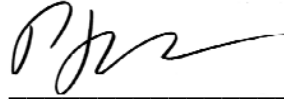
**United States District Court**  
For the Northern District of California

1 17th Floor, 450 Golden Gate Ave., San Francisco, California.

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3 **IT IS SO ORDERED.**

4 Dated: September 11, 2006



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PHYLLIS J. HAMILTON  
United States District Judge

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