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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Lillie Willis, et al.,

NO. C 04-02305 JW

Plaintiffs,

**ORDER RE. DECEMBER 12, 2011 ORDER  
TO SHOW CAUSE HEARING**

v.

City of Oakland, et al.,

Defendants.

On October 5, 2011, the parties reached a settlement in this matter. (See Docket Item No. 197.) On October 26, 2011, in light of the settlement, the Court vacated all trial and pretrial dates and set December 12, 2011 for an Order to Show Cause Hearing in regard to the settlement.<sup>1</sup> (See Docket Item No. 199.)

On November 15, 2011, Plaintiffs filed a letter contending that their attorney had not advised them of the settlement and presenting other objections to the settlement. (hereafter, "November 15 Letter," Docket Item No. 200.) On December 2, 2011, Plaintiffs' counsel and Defendants filed a Joint Statement contending that the settlement was awaiting final approval by the Oakland City Council, and requesting that the Court "allow until January 15, 2011 [sic] for completion of the

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<sup>1</sup> In its Order to Show Cause, the Court stated that the December 12 hearing would be automatically vacated if a stipulated dismissal pursuant to Fed. R. Civ. P. 41(a) was filed on or before December 2, 2011. (Docket Item No. 199 at 1.)


United States District Court  
For the Northern District of California

1 settlement process, issuance of a resolution approving the settlement and payment of the settlement  
2 proceeds.”<sup>2</sup> The Joint Statement does not refer to the November 15 Letter filed by Plaintiffs.

3           Upon review, and in light of Plaintiffs’ November 15 Letter regarding the settlement, the  
4 Court does not find good cause to vacate the December 12 Order to Show Cause Hearing.  
5 Accordingly, all parties shall appear at the December 12 hearing and be prepared to address  
6 Plaintiffs’ letter to the Court.

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9 Dated: December 5, 2011

  
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JAMES WARE  
United States District Chief Judge

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27 <sup>2</sup> (Joint Statement in Response to Order to Show Cause re: Settlement at 1-2, Docket Item  
28 No. 201.)

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Christopher Andrew Kee ckee@oaklandcityattorney.org  
3 Dennis Cunningham denniscunningham@juno.com  
4 James F. Hodgkins jhodgkins@oaklandcityattorney.org

5 **Dated: December 5, 2011**

**Richard W. Wieking, Clerk**

6 **By:         /s/ JW Chambers**  
7 **Susan Imbriani**  
8 **Courtroom Deputy**

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