

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROSALETY BARNETT, et al.,
Plaintiffs,
v.
COUNTY OF CONTRA COSTA,
et al.,
Defendants.

NO. C04-4437 TEH
ORDER RE: DEFENDANT
CONTRA COSTA COUNTY'S
REQUEST FOR EXPEDITED
CASE MANAGEMENT
CONFERENCE

ROSALETY BARNETT,
Plaintiff,
v.
CITY OF LAFAYETTE, et al.,
Defendants.

NO. C04-5365 TEH

United States District Court
For the Northern District of California

Defendant Contra Costa County has filed a request for an expedited case management conference (“CMC”) to discuss further proceedings in *Barnett v. County of Contra Costa*, Case No. C04-4437 TEH, in light of the recent en banc decision in *Bull v. City & County of San Francisco* by the United States Court of Appeals for the Ninth Circuit. It does not appear from the request that Defendant’s counsel consulted with counsel for Plaintiffs.

Accordingly, IT IS HEREBY ORDERED that the parties in *Barnett v. County of Contra Costa* shall meet and confer and file a joint case management conference statement on or before **March 8, 2010**, setting forth a proposal on how to proceed with this case. If the parties cannot agree, then they shall set forth their separate views in the joint statement. The parties shall plan to appear for a CMC before this Court on **March 15, 2010, at 1:30 PM**, unless otherwise ordered.

1 IT IS FURTHER ORDERED that the parties in *Barnett v. City of Lafayette*, Case
2 No. C04-5365 TEH, shall also meet and confer and file a joint case management conference
3 statement on or before **March 8, 2010**. Given Plaintiffs' concession that Rosalety Barnett is
4 not a member of the class that has been certified (and that Defendant now contends should be
5 de-certified) in *Barnett v. County of Contra Costa*, it is unclear to the Court why her case
6 seeking individual damages should continue to trail the class action. These parties shall also
7 plan to appear for a CMC before this Court on **March 15, 2010, at 1:30 PM**, unless
8 otherwise ordered.

9 The April 12, 2010 case management conference dates in both cases are hereby
10 VACATED.

11
12 **IT IS SO ORDERED.**

13
14 Dated: 02/24/10



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT