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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. CUVIELLO, et al.,

No. C 06-5517 MHP

Plaintiffs,

ORDER

v.

Re: Defendants' Motion to Stay Proceedings

CITY OF OAKLAND, et al.,

Defendants.

On July 23, 2009, defendants filed a motion to “stay the hearings on Plaintiffs’ Motion to Modify and Plaintiffs’ Motion for Sanctions until this court has ruled upon [Judge Chen’s July 20, 2009] Recommendation.” Docket Nos. 224, 227. These hearings before Magistrate Judge Chen were scheduled to occur before this year’s circus performance began on August 12, and have indeed occurred, rendering the issue moot. Such a stay would not have been warranted, in any event. Accordingly, defendants’ motion to stay proceedings is DENIED.

IT IS SO ORDERED.

Dated: 8/28/2009


MARILYN HALL PATEL
United States District Court Judge
Northern District of California