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

MEHRDAD ALEMOZAFFAR,

Plaintiff,

No. C 07-04494 JSW

v.

CITY AND COUNTY OF SAN FRANCISCO,
et al.,

**NOTICE OF QUESTIONS FOR
HEARING**

Defendants.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE TAKE
NOTICE OF THE FOLLOWING QUESTIONS FOR THE HEARING SCHEDULED ON
MARCH 20, 2009 AT 9:00 A.M.:

The Court has reviewed the parties' papers and, thus, does not wish to hear the parties reargue matters addressed in those pleadings. If the parties intend to rely on authorities not cited in their briefs, they are ORDERED to notify the Court and opposing counsel of these authorities reasonably in advance of the hearing and to make copies available at the hearing. If the parties submit such additional authorities, they are ORDERED to submit the citations to the authorities only, with reference to pin cites and without argument or additional briefing. *Cf.* N.D. Civil Local Rule 7-3(d). The parties will be given the opportunity at oral argument to explain their reliance on such authority. The Court suggests that associates or of counsel attorneys who are working on this case be permitted to address some or all of the Court's questions contained herein.

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The parties shall each have 15 minutes to address the following questions:

1. Assuming *arguendo* that the officers did not use the taser on Plaintiff after he was already restrained, compliant and non-combative, does Plaintiff contend that providing a manual to officers which provides that “use of the taser device in a drive stun or contact mode can cause marks and scarring that may be permanent” but teaching through an exam that there are no long-term effects from using a taser is a training policy that amounts to deliberate indifference to the constitutional rights of the persons with whom the City’s police officers are likely to come into contact? Does Plaintiff further contend that his constitutional injury would have been avoided had the City not taught its officers through the taser exam that there are no long-term effects from using a taser?
2. Based on what evidence in the record before the Court do Defendants contend that there was probable cause to arrest Plaintiff?
3. Based on what evidence in the record before the Court does Plaintiff contend that there was not probable cause to arrest Plaintiff?
4. Do the parties have anything further they wish to address?

IT IS SO ORDERED.

Dated: March 19, 2009



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE