

1                                    IN THE UNITED STATES DISTRICT COURT  
2                                    FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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4  
5       DERRICK ROSS,

6                                    Plaintiff,

7                                    v.

8       INDEPENDENT LIVING  
9       RESOURCE OF CONTRA COSTA  
10       COUNTY,

11                                   Defendant.

NO. C08-00854 TEH

FINAL ORDER RE: JURY  
TRIAL

12                The Court is in receipt of Defendant Independent Living Resource of Contra Costa  
13 County's ("I.L.R.") objections, filed on August 23, 2010, in response to the Court's August  
14 18, 2010, order regarding whether to proceed with a jury trial. The Court has reviewed the  
15 cases cited by Defendant, and finds nothing in these authorities to support Defendant's  
16 argument that Plaintiff loses the jury trial right that historically attaches to a tort claim.  
17 Therefore, oral argument is unnecessary and trial will proceed at 8:30 a.m. on August 24,  
18 2010, as ordered by the Court on December 14, 2009.  
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20       **IT IS SO ORDERED.**

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22       Dated: 8/23/10



23       \_\_\_\_\_  
24       THELTON E. HENDERSON, JUDGE  
25       UNITED STATES DISTRICT COURT  
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