

1 DENNIS J. HERRERA, State Bar #139669  
 City Attorney  
 2 JOANNE HOEPER, State Bar #114961  
 Chief Trial Deputy  
 3 BRADLEY A. RUSSI, State Bar #256993  
 Deputy City Attorney  
 4 Fox Plaza  
 1390 Market Street, 6<sup>th</sup> Floor  
 5 San Francisco, California 94102-5408  
 Telephone: (415) 554-3964  
 6 Facsimile: (415) 554-3837  
 Email: brad.russi@sfgov.org

7 Attorneys for Defendant  
 8 CITY AND COUNTY OF SAN FRANCISCO



9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 DONALD G. BERTONE,  
 12 Plaintiff,

13 vs.

14 CITY & COUNTY OF SAN  
 15 FRANCISCO, SAN FRANCISCO  
 16 POLICE DEPT., SAN FRANCISCO  
 17 GENERAL HOSPITAL, SAN  
 18 FRANCISCO SHERIFF'S DEPT. and  
 DOES 1-100,  
 Defendants.

Case No. 08-cv-01003-MEJ

**DEFENDANT CITY & COUNTY OF  
 SAN FRANCISCO'S RESPONSE TO  
 ORDER TO SHOW CAUSE**

Hearing Date: February 23, 2012  
 Time: 10:00 a.m.  
 Place: Courtroom B, 15th  
 Floor

Date Action Filed: Oct. 27, 2011  
 Trial Date: Not Set

19  
 20 Defendant City and County of San Francisco ("the City") submits this response to the Court's  
 21 February 7, 2012 Order to Show Cause (Dkt. 34) and states as follows:

- 22 1. The deposition of Plaintiff Donald Bertone was conducted on February 16, 2012.
- 23 2. Because Mr. Bertone appeared for deposition, the show cause hearing scheduled for  
 24 February 23, 2012 should be vacated.

1 Dated: February 17, 2012

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BRADLEY A. RUSSI  
Deputy City Attorney

By: /s/ Bradley A. Russi  
BRADLEY A. RUSSI  
Attorneys for Defendant  
City & County of San Francisco

1 **PROOF OF SERVICE**

2 I, AMELIA WONG, declare as follows:

3 I am a citizen of the United States, over the age of eighteen years and not a party to the within  
4 entitled action. I am employed at the City Attorney’s Office of San Francisco, Fox Plaza Building,  
1390 Market Street, Sixth Floor, San Francisco, CA 94102.

5 On February 17, 2012, I served the attached:

6 **DEFENDANT CITY & COUNTY OF SAN FRANCISCO’S RESPONSE TO ORDER TO**  
7 **SHOW CAUSE**

8 on the interested parties in said action, by placing a true copy thereof in sealed envelope(s) addressed  
9 as follows:

10 Donald G. Bertone  
11 1115 Post Street, #14  
San Francisco, CA 94109

12 Plaintiff in pro per

13 and served the named document in the manner indicated below:

14  **BY MAIL:** I caused true and correct copies of the above documents, by following ordinary business practices,  
15 to be placed and sealed in envelope(s) addressed to the addressee(s), at the City Attorney’s Office of San  
16 Francisco, Fox Plaza Building, 1390 Market Street, City and County of San Francisco, California, 94102, for  
17 collection and mailing with the United States Postal Service, and in the ordinary course of business,  
correspondence placed for collection on a particular day is deposited with the United States Postal Service that  
same day.

18 I declare under penalty of perjury under the laws of the State of California that the foregoing  
is true and correct.

19 Executed February 17, 2012, at San Francisco, California.

20 /s/ Amelia Wong  
21 AMELIA WONG