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 11 SHAWNA WILKINS-JONES

12 IN THE UNITED STATES DISTRICT COURT  
 13 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 SHAWNA WILKINS-JONES,  
 15 Plaintiff,

CASE NO. C08-01485-MHP  
Civil Rights

16 v.

**DENYING**  
~~**[PROPOSED] ORDER GRANTING**~~  
~~**PLAINTIFF'S APPLICATION AND**~~  
~~**MOTION FOR RECONSIDERATION**~~

17 COUNTY OF ALAMEDA, and  
 18 DOES 1-10, Inclusive,  
 19 Defendants.  
 20 \_\_\_\_\_ /

21 On May 28, 2010, the Court issued a Memorandum and Order re:  
 22 Defendant's Motion to Dismiss/Motion for Judgment on the Pleadings. Having  
 23 considered Plaintiff's Application for Leave to File a Motion for Reconsideration  
 24 under Local Rule 7-9, IT IS HEREBY ORDERED that plaintiff's Application is  
 25 GRANTED.

26 Having considered plaintiff's Motion for Reconsideration, IT IS HEREBY  
 27 ORDERED that plaintiff's Motion is GRANTED. The Court has jurisdiction  
 28 over plaintiff's state law claims under 28 U.S.C. § 1367 because they derive from

1 a common nucleus of operative fact with plaintiff's federal claim for damages  
2 under the Americans with Disabilities Act and the Rehab Act of 1973, such that  
3 the entire action before the court comprises one constitutional case. See Mine  
4 Workers v. Gibbs, 383 U.S. 715, 725 (1966). Therefore plaintiff's claims for  
5 state law injunctive relief and for attorney fees under California Civil Code  
6 section 1021.5 are reinstated.

7 Moreover, in the interests of justice plaintiff is granted leave to amend her  
8 Complaint to allege facts which would overcome the factual infirmities which led  
9 the Court to dismiss her federal claim for injunctive relief under Article III of the  
10 United States Constitution.

11  
12 **IT IS SO ORDERED.**

13  
14 Dated: 7/6, 2010

