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28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAJAMES JENKINS, *et al.*,

No. C-08-3401 EMC

Plaintiffs,

v.

**ORDER RE PLAINTIFFS' STATEMENT  
OF CLAIMED ACTS OF RETALIATION**

CITY OF RICHMOND,

**(Docket No. 402)**Defendant.  

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The Court is in receipt of Plaintiffs' Jenkins and Picketts' Statement of Claimed Acts of Retaliation regarding evidence of retaliation. However, Plaintiffs' statement does not comply with the Court's order directing the parties to file briefs proffering new evidence, and does not assist the Court in determining whether to allow Plaintiffs' proffer. First, Plaintiffs' statement does not describe the alleged instances of retaliation in any degree of detail, so that the Court could evaluate Plaintiffs' allegations. Second, Plaintiffs' statement does not distinguish between old evidence, which has already been addressed in the parties' depositions, and new evidence, which has emerged after the parties' depositions and could require additional discovery. The focus of the Court's prior order was on new evidence, yet it cannot discern from the statement what would qualify as new evidence. Nor do the Plaintiffs provide any information regarding the dates of their last depositions. Third, Plaintiffs offer no further information (*e.g.*, a sworn declaration or other evidence) as to any good cause for their delayed submission.

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Plaintiffs Jenkins and Pickett are directed to file a brief with the above-described detail, and any other information that would be helpful to the Court, no later than **Wednesday, June 27, 2012, at 12:00 p.m.** The Court will issue an order thereafter.

IT IS SO ORDERED.

Dated: June 26, 2012

  
EDWARD M. CHEN  
United States District Judge