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4 IN THE UNITED STATES DISTRICT COURT
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 ERIKA CANAS, et al.,
9 Plaintiffs,
10 v.
11 CITY OF SUNNYVALE, et al.,
12 Defendants.

NO. C08-5771 TEH

NOTICE OF INTENDED
RULING ON DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT

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14 This matter came before the Court on July 23, 2012, on Defendants' motion for
15 summary judgment. This notice is intended only to inform the parties of the Court's intended
16 ruling on that motion. The Court issues this notice now to provide guidance to the parties as
17 they meet and confer and prepare the joint pretrial conference statement due on August 17,
18 2012.¹ A final ruling will be forthcoming.

19 The Court intends to rule as follows:

- 20 1. The Court intends to DISMISS Plaintiffs' Fourth Amendment claim based on
21 allegations of material misrepresentations made in support of the application for an arrest
22 warrant, by consent of the parties.
- 23 2. The Court intends to DENY summary judgment on Plaintiffs' remaining Fourth
24 Amendment claims.
- 25 3. The Court intends to GRANT summary judgment on Plaintiffs' Fourteenth
26 Amendment claims.

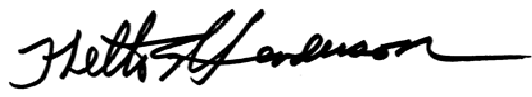
27 ¹If the Court modifies any of these intended rulings in its final order, it may request
28 that the parties submit a revised pretrial conference statement or may simply discuss the
impact of the Court's ruling at the pretrial conference.

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4. The Court intends to DENY summary judgment on Plaintiffs' state law negligence claims.

IT IS SO ORDERED.

Dated: 08/09/12



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT