

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TERESA SHEEHAN,  
Plaintiff,  
v.  
CITY AND COUNTY OF SAN  
FRANCISCO, ET AL.,  
Defendants.

No. C 09-03889 CRB

**ORDER GRANTING IN PART AND  
DENYING IN PART DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT**

Now before the Court is Defendants' motion for summary judgment on all of Plaintiff Teresa Sheehan's remaining claims following remand from the United States Supreme Court (dkt. 93). As the Court indicated at the motion hearing on April 19, 2016, the motion is GRANTED in part and DENIED in part. It is GRANTED as to the negligence claim, the assault and battery claim, and the intentional infliction of emotional distress claim, and it is DENIED as to the Americans with Disabilities Act (ADA) claim and the Bane Act claim. Trial will commence on the ADA claim<sup>1</sup> and the Bane Act claim on August 22, 2016.

**IT IS SO ORDERED.**

Dated: April 20, 2016



**CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE**

<sup>1</sup> Litigation of the ADA claim will include the threshold issue of whether Plaintiff fits within Title II's "direct threat" exception, 28 C.F.R. § 35.139.