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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY GARDNER,

No. C-10-3410 EMC

Plaintiffs,

**ORDER OVERRULING EVIDENTIARY
OBJECTIONS**

v.

CITY OF BERKELEY,

Defendants.

_____ /

For the purposes of this summary judgment motion, the Court relied upon the following evidence that were the subject of objections:


- Mark Zembsch Declaration, Exhibit E
- Mark Zembsch Declaration, Exhibit O
- Erik Upson Declaration ¶¶ 2, 3
- Kevin Schofield Declaration ¶ 5
- Douglas Hambleton Declaration ¶¶ 4, 5
- Eric Gustafson Declaration ¶ 13
- David Hodgkins Declaration ¶ 4
- Matt Morizono Declaration ¶¶ 4, 5
- David Frankel Declaration ¶¶ 2, 3.
- Timothy Gardner Declaration ¶¶ 5, 6, 13, 14, 23
- Christine Knowlton Declaration ¶ 1
- Sean McCann Declaration ¶ 6

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As to these statements, the objections are overruled. All other objections are deemed moot.

IT IS SO ORDERED.

Dated: January 18, 2012



EDWARD M. CHEN
United States District Judge