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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JANICE MENDENHALL, *et al.*,

No. C-11-4029 EMC

Plaintiffs,

v.

**AMENDED ORDER RE HEARING AND
BRIEFING SCHEDULE ON
DEFENDANT'S MOTION TO DISMISS**
(Defendant's reply due December 7, 2011)

CITY AND COUNTY OF SAN
FRANCISCO,

Defendant.

Defendant City and County of San Francisco's ("CCSF") motions to dismiss are currently set for hearing before the Court on November 28, 2011. Docket Nos. 9, 13.¹ Plaintiffs have not filed an opposition, and have orally represented to the Court that they did not receive a copy of Defendants' motion. Although the proof of service appears valid, the Court will, in the interest of justice, provide pro se Plaintiffs an opportunity to respond to the motion. Accordingly, the Court hereby enters the following order:

- (1) Defendant's motion to dismiss shall be re-set for hearing before the Court on Friday, December 16, 2011, at 1:30 p.m., in Courtroom 5, 17th Floor, 450 Golden Gate Avenue, San Francisco, California.
- (2) Plaintiffs Mendenhall and Cato shall file their opposition to Defendant's motion no later than Wednesday, November 30, 2011.

¹ The two motions appear identical, and the amended motion filed on October 14 merely set a new hearing date before the newly assigned judge. Accordingly, the Court will refer to the October 14 amended motion as the operative motion.

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(3) Defendant shall file its reply no later than Wednesday, December 7, 2011.

For the parties' convenience, the Court attaches Defendant's amended motion to dismiss to this Order.

IT IS SO ORDERED.

Dated: November 15, 2011



EDWARD M. CHEN
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 MENDENHALL et al,

5 Plaintiff,

6 v.

7 CITY AND COUNTY OF SAN FRANCISCO et
8 al,

9 Defendant.

Case Number: CV11-04029 EMC

CERTIFICATE OF SERVICE

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
11 Court, Northern District of California.

12 That on November 15, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
13 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
14 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
15 located in the Clerk's office.

16 Janice Mendenhall
17 P.O. Box 24370
18 San Francisco, CA 94124

19 Mark Cato
20 P.O. Box 24370
21 San Francisco, CA 94124

22 Dated: November 15, 2011



Richard W. Wieking, Clerk
By: Betty Lee, Deputy Clerk