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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

California Primary Care Ass'n, et al.,
Plaintiffs,
v.
Toby Douglas, et al.,
Defendants.

NO. C 12-01708 JW

**ORDER PROVIDING NOTICE OF
CONSOLIDATING OF HEARING ON
MERITS WITH HEARING ON MOTION
FOR PRELIMINARY INJUNCTION**

This case is scheduled for a hearing on Plaintiffs' Motion for a Preliminary Injunction on April 30, 2012. Upon review of the issues raised by the parties in their briefs, the Court finds that this case may be amenable to summary judgment, as the issues in dispute appear to be questions of law and not questions of fact.

Federal Rule of Civil Procedure 65(a)(2) provides that before or after beginning a hearing on a motion for a preliminary injunction, the court may advance the trial on the merits and consolidate it with the hearing. Accordingly, the Court gives notice to the parties that because that material facts in this case do not appear to be in dispute, the Court intends to advance the trial on the merits and consolidate it with the hearing on Plaintiffs' Motion.

Dated: April 26, 2012



JAMES WARE
United States District Chief Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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4 Kathryn Ellen Doi kdoi@murphyaustin.com
5 Regina Mary Boyle cliniclaw@gmail.com

6 **Dated: April 26, 2012**

Richard W. Wieking, Clerk

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8 **By: /s/ JW Chambers**
9 **Susan Imbriani**
10 **Courtroom Deputy**

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