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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**
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11 OLGA ZAMORA, Guardian ad litem for
12 Maria Zamora, and JOSE ZAMORA,
13 Guardian ad litem for Omar Zamora and
14 Edgar Zamora,

15 Plaintiffs,

16 v.

17 CITY OF OAKLAND, ANTHONY BATTS,
18 CITY OF SAN FRANCISCO and GEORGE
19 GASCON,

20 Defendants.

Case No. 12-cv-02734 NC

**ORDER TO DEFENDANTS TO
RESPOND TO PLAINTIFFS'
SUPPLEMENTAL DECLARATION
IN OPPOSITON TO MOTION FOR
SUMMARY JUDGMENT**

Re: Dkt. No. 37


21 On July 23, 2013, the Court issued an order permitting plaintiffs to file supplemental
22 materials in support of their request to deny defendants' motion for summary judgment or
23 allow additional time to take discovery under Federal Rule of Civil Procedure 56(d). Dkt.
24 No. 36. On July 30, 2013, plaintiffs filed a supplemental declaration of James Martinez in
25 opposition to defendants' motion for summary judgment, asserting that defendants failed to
26 produce essential discovery that was requested by plaintiffs. Dkt. No. 37. By August 6,
27 2013 at 5:00 p.m., defendants must file a response to plaintiffs' supplemental declaration,
28 which may be accompanied by attachments, addressing (1) whether defendants have failed
to produce discovery (including photographs and videotapes of the incident) which is in

Case No. 12-cv-02734 NC
ORDER TO RESPOND TO
SUPPLEMENTAL DECLARATION

1 their possession, custody, or control and is essential to oppose the pending summary
2 judgment motion, as plaintiffs assert in their opposition and supporting declarations; (2)
3 whether plaintiffs timely requested that discovery, and were diligent in pursuing it; (3) and
4 whether the Court should allow plaintiffs additional time to take discovery.

5 IT IS SO ORDERED.

6 Date: August 2, 2013

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9 Nathanael M. Cousins
10 United States Magistrate Judge
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