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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

FRANK AND DEBORAH MCDOWELL,

No. C 12-03192 JSW

Plaintiffs,

ORDER DENYING MOTION FOR RECONSIDERATION

v.

CITY AND COUNTY OF SAN FRANCISCO,

Defendant.

On May 14, 2013, the Court granted Defendant's motion to dismiss Plaintiffs' Second Amended Complaint, and it dismissed this case with prejudice. On May 20, 2013, Plaintiffs filed a motion for reconsideration, which the Court shall liberally construe as a motion for relief from judgment pursuant to either Rule 59(e) or 60(b). Plaintiffs' motion is timely under either of these rules. *See* Fed. R. Civ. P. 59(e), Fed. R. Civ. P. 60(c). In their motion, Plaintiffs ask the Court to revisit its decision based on a ruling by the State of California's Public Employment Relations' Board on whether the provisions of Proposition G constitute an unreasonable rule within the meaning of the Meyers-Millias Brown Act.

The Court finds no basis to revisit its decision under either Rule 59(e) or 60(b). Accordingly, Plaintiffs' motion for reconsideration is DENIED.

IT IS SO ORDERED.

Dated: May 22, 2013


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

FRANK AND DEBORAH MCDOWELL
et al,

Case Number: CV12-03192 JSW

Plaintiff,

CERTIFICATE OF SERVICE

v.

CITY AND COUNTY OF SAN
FRANCISCO et al,


Defendant.

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

That on May 22, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Deborah McDowell
Frank McDowell
2800 Bellwort Court
Antioch, CA 94531

Dated: May 22, 2013


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk