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E-Filed 8/20/14

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JAMES HARVEY,
Plaintiff,

v.

D. BASSETT, et al.,
Defendants.

No. C 12-6014 RS (PR)

**ORDER DENYING MOTION TO
DISMISS;**

**ORDER SETTING BRIEFING
SCHEDULE**

Defendants' motion to dismiss (Docket No. 19) is DENIED without prejudice. Because the arguments raised in the motion require the Court to look outside the pleadings, defendants are directed to renew their arguments in support of dismissal by way of a motion for summary judgment. The motion for summary judgment shall be filed on or before November 20, 2014. Plaintiff's opposition, if any, shall be filed within 45 days after the motion for summary judgment has been filed. Defendants' reply, if any, shall be filed within 15 days after the opposition is filed. The Clerk shall terminate Docket No. 19.

IT IS SO ORDERED.

DATED: August 20, 2014


RICHARD SEEBORG
United States District Judge