

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAJAN VAN DUSEN,  
Plaintiff,

v.

CITY OF OAKLAND, et al.,  
Defendants.

Case No. 13-cv-05023-VC

**ORDER**

The plaintiff is ordered to serve all remaining defendants by September 2, 2014. The plaintiff is further ordered to file a brief of no more than 15 pages addressing the question whether all or part of her lawsuit should be dismissed under *Heck v. Humphrey*, 512 U.S. 477 (1994). This brief is due September 15, 2014. Any defendant may file a response of no more than 15 pages by September 29, 2014. The plaintiff may file a reply of no more than 10 pages by October 6, 2014. A hearing on whether the case should be dismissed in whole or in part under *Heck* is scheduled for October 16, 2014 at 10 a.m. The Court will notify the parties in advance if it determines that a hearing is unnecessary for purposes of deciding this question. Aside from service of the remaining defendants and litigating the question whether the case should be dismissed in whole or in part under *Heck*, the case remains stayed. The defendants are not required to answer or otherwise respond to the complaint while the stay remains in place.

**IT IS SO ORDERED.**

Dated: July 30, 2014

\_\_\_\_\_  
VINCE CHHABRIA  
United States District JudgeUnited States District Court  
Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAN VAN DUSEN,  
Plaintiff,  
v.  
CITY OF OAKLAND, et al.,  
Defendants.

Case No. [13-cv-05023-VC](#)

**CERTIFICATE OF SERVICE**

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 7/30/2014, 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.

N. Lewis  
13410 Bellamy Brother Blvd.  
Dade City, FL 33525

Dated: 7/30/2014

Richard W. Wieking  
Clerk, United States District Court



By: \_\_\_\_\_  
Kristen Melen, Deputy Clerk to the  
Honorable VINCE CHHABRIA