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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN PATRICK HENNEBERRY,  
Plaintiff,  
v.  
CITY OF NEWARK, et al.,  
Defendants.

Case No. [13-cv-05238-MEJ](#)

**ORDER RE: CASE MANAGEMENT  
STATEMENT; ORDER VACATING  
CASE MANAGEMENT CONFERENCE**

Re: Dkt. No. 79

On March 9, 2016, the parties filed a Joint Case Management Statement. Dkt. No. 79. Having reviewed that Statement, the Court notes that the parties do not address the class claims Plaintiff alleges in his First Amended Complaint. *See* First Am. Compl. ¶¶ 25, 45, Dkt. No. 66; *see also* Order re: Mot. to Dismiss at 14, Dkt. No. 75. Accordingly, the Court ORDERS the parties to meet and confer by March 17, 2016 to determine whether (1) Plaintiff intends to dismiss his class claims, in which case he will file a notice of voluntary dismissal; or (2) the parties will file a revised Joint Case Management Statement to address the class claims in this case and necessary scheduling to deal with those claims. Either document must be filed **by March 23, 2016**. Consequently, the Court **VACATES** the Case Management Conference set for March 17, 2016.

**IT IS SO ORDERED.**

Dated: March 11, 2016

  
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MARIA-ELENA JAMES  
United States Magistrate Judge