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7 Pro Se Plaintiff

**FILED**  
FEB 9 2015  
RICHARD W. WIEKING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
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8 Lawrence v. City and County of San Francisco et al

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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 EMIL LAWRENCE

12 Plaintiff,

13 vs.

14 CITY AND COUNTY OF SAN FRANCISCO,  
15 et al.,

16 Defendant.

) Case No.: C14-00820 (MEJ) (JSC)

) **MOTION TO ENLARGE TIME**

) **DATE:** ( February 19, 2015 )

) **TIME:** ( 10:00 a.m. )

) **LOCATION:** ( Courtroom B )

) **JUDGE:** ( JAMES )

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1. Plaintiff Emil Lawrence respectfully requests the Court to continue the "Discovery Meet and Confer" hearings for 90 days or as long as the Court sees fit. The "First Requests for Documents," by the Plaintiff, a series of 30 questions are largely and totally unanswered, or were answered in an unacceptable form. The Plaintiff needs critical evidence which is being withheld with a variety of the Defendant's counsel answers, although these requests are for public documents in this Complaint. The Plaintiff needs signed documents by the SFPD officers that made their police reports. The Plaintiff was going to use the documents in his "Requests for Interrogatories," and now has decided

1 to, quickly, send out interrogatories to all the SFPD officers and parties involved in the  
2 Complaint.

3 2. In the "Second Set of Requests for Documents"-on file-in the Plaintiff's attempt to  
4 amend the complaint, the Plaintiff discussed his dissatisfaction with the present time  
5 allowance with Defendant's counsel. At the time of the "Meet and Confer" in Maria-  
6 Elena James's court room, the defendant's counsel, after complying with one request in  
7 19, claimed he had other trials also, as his objection to a discovery time extension, after  
8 Defendant's counsel just got back from a three week vacation. It was after the Defendant  
9 counsel's three week vacation that he answered one question in 19 requests. This  
10 question to answer ratio is absolutely unacceptable. The Plaintiff has attempted, in the  
11 past four months to "Meet and Confer" with counsel for the Defendants, but has been  
12 stonewalled regularly so Defendant's counsel could run the clock. In the last "Meet and  
13 Confer" session, in the Court B of Maria-Elena James's Court, on January 21, 2015, at  
14 10 a.m., the "Meet and Confer Session Two," counsel for the Defendants complied with  
15 just one request for documents.

16 3. In this "Second Request for Documents," as of this date, which means there are 18 other  
17 requests the Defendant's counsel still disputes, or is going to partially respond to at some  
18 time in the future, whenever. One answer in 19 question is an "F" for responses. In  
19 mathematical percentages, defendant counsel's response rate for the "Second Request  
20 for Documents" was a dismal 5.26% ( $1 \div 19 = .0526$ ), at the moment. In any court room,  
21 this response rate would be a "failure to respond." All unsigned documents produced by  
22 the Defendants are not acceptable responses for these requests. Blackened pages which  
23 the Defendant's counsel submitted are nothing more that pulp fiction for these requests,  
24 and are unacceptable responses. If these requests for documents keep getting  
25 stonewalled, a motion for sanctions against the Defendant's counsel would have merit.  
26 If the Court cannot find an enlargement of time for this request, the Plaintiff's case  
27 would be compromised. In this Complaint, sanctions against the defendant's counsel  
28 could be requested by the Court. For the trial jury, with critical valuation, the Plaintiff

1 needs the requested signed documents. Northern Station's claim that there were no  
2 surveillance cameras working at the time, is totally absurd, unless signed off as such by  
3 the station Captain, at the time, Captain Anne Mannix. If the Court does not allow an  
4 enlargement of time in this Complaint, the Plaintiff will be substantially harmed by the  
5 complete lack of responses by the Defendants for the trial.

- 6 4. The Plaintiff needs the Motion to Enlarge the Time in discovery because counsel for the  
7 Defense has not produced what he claimed he was going to produce, and it is yet to be  
8 determined that his production of documents, when produced, will be acceptable.
- 9 5. At this time, there have been no other motions to enlarge or to amend the Complaint that  
10 have been approved by this Court. In the interest of justice, for the Court, the Plaintiff  
11 will use an extension of time in discovery for the Defendant's counsel to respond in a  
12 timely manner in the continuance of the discovery. And, the Plaintiff is going to use the  
13 extended time more diligently and professionally, if the court allows, by sending out  
14 "Requests for Interrogatories" directly to the defendant police officers to answer specific  
15 and direct questions, in the time allowed. The specific answers in these interrogatories,  
16 if an enlargement of time is allowed, will be used at the trial, by the Plaintiff. Simply,  
17 counsel for the Defendants has failed to produce all signed police documentation on the  
18 Plaintiff's arrest, handcuffing, transportation, incarceration, and interrogation. The  
19 additional time modification will allow the Plaintiff to go directly to the Defendants with  
20 questions to be answered, with appropriate time to respond. The allowed time would  
21 not, or should not change the rest of the schedule for the Complaint to proceed to trial.

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23 DATED: Feb 9, 2015

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Signature

Emil Lawrence

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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

EMIL LAWRENCE

Plaintiff,

v.

Civil Action No. C14-00820 MEJ

**CITY AND COUNTY**  
OF SAN FRANCISCO, et al.  
Defendants.

**DECLARATION OF EMIL LAWRENCE**


Pursuant for the application of CCP §474, *Austin v. Mass. Bonding & Ins. Co.* 56 Cal. 2d 596 (1961); PC §207(a), Emil Lawrence, declares and state as follows:

1. I am the Plaintiff in this Complaint, and I have lived in San Francisco for 45 years. In this capacity as a resident of San Francisco, I have held down various occupations in imports /exports, commodity, derivatives, futures, securities' investment sales and as a taxi driver. Not being able to find another job, for over a decade, I dress and look like a taxi driver. And, in this occupation I have been stopped and arrested by the San Francisco police without cause, four times or more.
2. As a resident of this city for the past four decades, in the past 10 years I have applied for over 1000 posts within the San Francisco Civil Service System( SFCSS), on the Civil Service Registry (CSR), within post classifications related to Administrative Analysis, Classes 1820-27, including four Director's posts at the San Francisco Taxi Commission and Agency. But, I have not obtained one job. In the past nine years, I have applied four times for the Taxi Director post when it became vacant. Each time, my application was blocked by the mayors of San Francisco, Gavin Newsom and Edwin Lee.
3. As a taxi driver, I have a master's in business administration from San Francisco State University. But, this higher education has not helped me find one job in San Francisco, besides driving a taxi. Although I have exam scores on the CSR in the 95% range, and US veteran's status, I have been blocked from CSR posts. And, none of this background has helped me to find an attorney for my Complaint in this incident.
4. Although the SFMTA controls up to 7000 "A" card holding taxi drivers, the agency does not hire qualified taxi drivers to properly administrate the industry. As the only taxi driver on the CSR, who is absolutely qualified for the taxi director post, I have been denied this spot for a decade. In this decade, I have become a political activist, and have brought these issues up at the Board of Supervisors, the San Francisco Airport and SFMTA Commission hearings.
5. Taxi drivers in the City and County of San Francisco do not have salaries, pensions or routine grievance procedures, and the City and County over regulates them, then fines and destroys their incomes with draconian fees, rules, regulations with DPT and SFPD citations that other city transportation workers do not have to pay.

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6. As a city regulated taxi driver, I have been very vocal about the system of corruption at City Hall. Mayor Gavin Newsom loaded up the City Directorship with an assortment of cronies. He followed the footsteps of his predecessor Willie Brown, who hired up to 750 assistant mayors. Mayor Newsom used the San Francisco Taxi Commission as his own ex-employee job club from his inner city hall payroll cuts.
  7. The City Attorney Dennis Herrera failed to investigate Mayor Lee's ethics violations, where firms that signed contracts with the City and Lee as City Administrator, had hundreds of their employees donate to Lee when he ran for Mayor. City Attorney Herrera forced all the employees that worked for him, to give \$500 each to his campaign.
  8. As an attorney in pro se, and a city taxi driver with low income that deals with Dennis Herrera's City Attorneys, as the Plaintiff in this Complaint, I am very concerned that I can be "whip-sawed" in areas beyond the law, by the City and County of San Francisco, due to their battery of Deputy Attorneys that are on the city payroll, helping the Defendant's counsel.
  9. I am making this declaration in writing to protect my rights under the US Constitution., which includes the Bill of Rights, and specifically the First, Fourth, Eighth and 14th, Amendments. What I know about this Complaint, to the best of my ability is true and correct.

I declare under penalty of perjury that the foregoing is true and correct to the best of

my knowledge and belief.



EMIL LAWRENCE  
San Francisco, CA 94102  
Executed on Feb 9, 2015

1  
2 **UNITED STATES DISTRICT COURT**  
3 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

4 Civil Action No. C14-00820 MEJ

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7 **COURT ORDER**

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9 **PROPOSED ORDER:**

10 The Court having considered all papers filed in connection with the Plaintiff's Motion, ~~To Enlarge~~  
11 ~~or/and Modify the time for Discovery, and having considered oral arguments, if any, herby grants~~  
12 ~~Plaintiff's Motion~~ \_\_\_\_\_ more days.

COURT VACATES THE FEBRUARY 19, 2015 MOTION  
HEARING. COURT WILL RE-NOTICE HEARING IF  
NECESSARY.

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14  
15 **DATE:** February 13, 2015

Magistrate Judge: \_\_\_\_\_



16 **Maria-Elena James**

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3 **Proof of Service by Mail**  
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5 I, **Eric Milstein**, declare as follows:

6 I am a citizen of the United States of America, over the age of eighteen years and not a party to the  
7 enclosed action. I am employed in the city and county of San Francisco, at 440 Bryant Street, San  
8 Francisco, California 94107.

9 On February, 9 2015 at approximately 5 p.m. I placed in the United States Postal Service (U.S.P.S),  
10 in one of their blue postal SERVICE boxes:

11 The REQUEST FOR A MOTION TO ENLARGE TIME.

12 For the following persons, I placed a true copy in one enclosed and sealed envelope,  
13 with prepaid postage, into a San Mateo, California, U.S.P.S. Blue postal box.

14 **The envelope was addressed as follows:**

15 BRIAN P. CEBALLO, City Attorney, Fox Plaza, 1390 Market St. Sixth Floor, San Francisco CA  
16 94102 OFFICE TELEPHONE: (415) 554-3911

17 I declare under the penalty of perjury, under the laws of California that the following is  
18 true and correct statement.

19 Dated: February 9, 2015

Signed Name *Eric Milstein* electronic signage  
Eric Milstein

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21 **Proof of Service by Mail**  
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