

United States District Court
For the Northern District of California

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

DANIEL LEVIN, ET AL.,

No. 3:14-cv-03352-CRB

Plaintiffs,

**ORDER RE LIMITED REMAND
FOLLOWING INDICATIVE RULING**

v.

CITY AND COUNTY OF SAN FRANCISCO,

Defendant.

This matter comes before the Court on limited remand from the Ninth Circuit. See Attachment A to the Nov. 11 Letter from Christine Van Aken (dkt. 125) (“This matter is remanded to the district court on a limited basis to permit the district court to consider the pending Federal Rule of Appellate Procedure 60(b) motion.”). This Court stated in its prior Indicative Ruling Order that:

If the Ninth Circuit authorizes a limited remand for this purpose, the Court will clarify under Rule 60(b) that its October 21, 2014 order and judgment enjoined enforcement of “San Francisco Ordinance No. 54-14, S.F. Admin. Code § 37.9A(e)(3)(E), insofar as it requires the payment of the ‘Rental Payment Differential,’” see Judgment (dkt. 93), and did not pass on the enforceability of the later enacted San Francisco Ordinance No. 68-15, see Memorandum of Findings of Fact and Conclusions of Law (dkt. 92).

See Order Re CCSF’s Motion for an Indicative Ruling (dkt. 124).

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1 The Court now enters the foregoing clarification under Rule 60(b).

2 **IT IS SO ORDERED.**

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4 Dated: January 6, 2016

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CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE