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

DONALD CLOYCE WAGDA,
Plaintiff,
v.
TOWN OF DANVILLE, et al.,
Defendants.

Case No. [16-cv-00488-MMC](#)


**ORDER VACATING HEARING ON
MOTIONS TO DISMISS AND MOTION
TO CONVERT**

Re: Dkt. Nos. 51, 53, 67

Before the Court are three motions: (1) defendants Town of Danville, County of Contra Costa, David O. Livingston, Steve Simpkins, Mike Jimenez, Emily Neabeack, Tom Rossberg, and Steven Stapleton's "Motion to Dismiss First Amended Complaint," filed April 12, 2016; (2) plaintiff's "Motion to Convert Motion to Dismiss into a Motion for Summary Judgment," filed April 17, 2016; and (3) defendants Edmund G. Brown Jr. and Kamala D. Harris's "Motion to Dismiss Plaintiff's First Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted," filed May 9, 2016. The motions are fully briefed. Having read and considered the papers filed in support of and in opposition thereto, the Court deems each said motion appropriate for determination on the parties' respective written submissions, and hereby VACATES the hearing scheduled for June 17, 2016.

IT IS SO ORDERED.

Dated: June 14, 2016


MAXINE M. CHESNEY
United States District Judge