

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

RITA CARDENAS, an individual, L.V., by and
through her guardian ad litem Ruby Cardenas, L.M.,
by and through her guardian ad litem Ruby
Cardenas, and DAVID ORTIZ, an individual,

No. C 16-05205 WHA

Plaintiffs,

v.

COUNTY OF ALAMEDA, a municipal corporation;
CITY OF OAKLAND, a municipal corporation;
SCOTT SEDER, RICHARD COGLIO, VICTOR
GARCIA, and DOES 1-25, individually and in their
official capacities,

**ORDER DENYING AS
MOOT DEFENDANT'S
MOTION TO DISMISS
WITHOUT PREJUDICE**

Defendants.


In light of the plan discussed at today's hearing, as set forth here, the County's motion is **DENIED AS MOOT**, without prejudice to a renewed motion directed at the forthcoming amended pleadings. The Court **ORDERS** the County of Alameda to turn over all readily available documents, so that plaintiffs can evaluate the facial plausibility of their claims. Plaintiffs will have the opportunity to file a new complaint. Defendants will have the opportunity to answer with a new motion to dismiss. The preliminary discovery shall be produced by **JANUARY 26 AT NOON**. Plaintiffs shall file their amended complaint by **FEBRUARY 16 AT NOON**. Defendants shall move to dismiss or state their intent to answer the

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complaint by **MARCH 2 AT NOON**. The case management conference will be postponed until **APRIL 6**, in conjunction with the hearing on the motion to dismiss.

IT IS SO ORDERED.

Dated: January 12, 2017.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE