

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OAKLAND BULK & OVERSIZED
TERMINAL, LLC,

Plaintiff,

v.

CITY OF OAKLAND,

Defendant.

Case No. [16-cv-07014-VC](#)

**ORDER DENYING CROSS-MOTIONS
FOR SUMMARY JUDGMENT ON THE
BREACH OF CONTRACT CLAIM**

Re: Dkt. Nos. 135, 145, 156

For the reasons stated at the hearing, the cross-motions for summary judgment on the breach of contract claim are denied. The cross-motions for summary judgment on the constitutional and federal preemption claims remain under submission and will be decided, if necessary, after the breach of contract claim is adjudicated.

IT IS SO ORDERED.

Dated: January 12, 2018



VINCE CHHABRIA
United States District Judge