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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LOUIS MANNING,

No. C 06-3435 WDB

Plaintiff

ORDER FOLLOWING FEBRUARY
11, 2009 HEARING

v.

CITY OF ROHNERT PARK, et al.

Defendants.

On February 11, 2009, the Court conducted a hearing in connection with Defendants' Motion for Summary Judgment. For the reasons stated on the record, the Court ORDERS as follows.

By Monday, February 23, 2009, at 5:00 p.m., each party must serve, file with the Court, and deliver to chambers its supplemental submissions, if any, (1) setting forth the party's position (citing legal authority and identifying evidentiary support) about when the arrest of Mr. Manning was effected and (2) identifying any facts that are material to determining when that arrest was effected that are subject to genuine dispute. A party who contends that resolution of a genuinely disputed fact is necessary to decide when Mr. Manning's arrest was effected must explain why the fact is material under the relevant legal theory and identify the

1 evidence in the record that supports the contention that that fact is genuinely
2 disputable.

3 By February 23, 2009, at 5:00 p.m., defendants also must file with the Court
4 and deliver to chambers a copy of the Shell station surveillance video that was
5 viewed by then-Detective Justice on June 1, 2005.

6 **On February 23, 2009, at 5:00 p.m.**, the Court will DEEM SUBMITTED
7 the issues presented by defendants' Motion for Summary Judgment.

8 If the ruling on defendants' motion for summary judgment does not fully
9 resolve this case, the Court will fix a date for a follow-up case management
10 conference and will post electronically the notice thereof.

11 IT IS SO ORDERED.

12 Dated: February 12, 2009



WAYNE D. BRAZIL
United States Magistrate Judge