

United States District Court
For the Northern District of California

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THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARIA LEE KINSTLEY and
KENNETH R. KINSTLEY,

Plaintiffs,

v.

CITY & COUNTY OF SAN
FRANCISCO, CITY OF PLEASANT
HILL, and DIANNE KENNEY,

Defendants.

Case No. 07-02323 SBA

ORDER
[Docket Nos. 52, 54, 63]

Before the Court are Plaintiffs' "Request for Stay and Case Management Statement," filed on July 21, 2008 [Docket No. 52], Defendant's Administrative Motion to Strike the Request for Stay and Case Management Statement, [Docket No. 54], and Plaintiffs' "Notice of Harassment and 2nd Motion to Stay" filed on September 14, 2008. [Docket No. 63]. Neither of plaintiffs' pending motions to stay were noticed for a hearing, and only came to the attention of the Court when the plaintiffs filed and properly noticed for hearing their "3rd Request for Stay," on November 24, 2008. [Docket No. 76].

On December 22, 2008, the Court issued an Order denying the Plaintiff's "3rd Request for Stay." [Docket No. 76]. This Order obviates the need for the Court to rule on the prior orders because they are duplicative. Thus, the first and second requests to stay the action are DENIED AS MOOT. For the same reason, the Court DENIES AS MOOT the Defendant's motion to strike the request for stay for failure to notice it for a hearing.

IT IS SO ORDERED.

Dated: 1/15/09


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 KINSTLEY ET AL et al,
5 Plaintiff,

Case Number: CV07-02323 SBA

CERTIFICATE OF SERVICE

6 v.
7 CITY & COUNTY OF SAN FRANCISCO ET AL
8 et al,
9 Defendant.

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,
11 Northern District of California.

12 That on January 16, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
13 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
14 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
15 in the Clerk's office.

16 Kenneth R. Kinstley
17 P. O. Box 126
18 Walnut Creek, CA 94597

19 Maria Lee Kinstley
20 P.O. Box 126
21 Walnut Creek, CA 94597

22 Dated: January 16, 2009

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk

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