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 8 Attorneys for Defendants  
 CITY AND COUNTY OF SAN FRANCISCO, ET AL.

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 10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

12 IVANA KIROLA and ELIZABETH  
 ELFTMAN, on behalf of themselves and all  
 13 others similarly situated,

14 Plaintiffs,

15 vs.

16 THE CITY AND COUNTY OF SAN  
 FRANCISCO ("the CITY"); GAVIN  
 17 NEWSOM, in his official capacity as Mayor;  
 AARON PESKIN, in his official capacity as  
 18 President of the Board of Supervisors; JAKE  
 MCGOLDRICK, MICHELA ALIOTO-  
 19 PIER, ED JEW, CHRIS DALY, SEAN  
 ELSBERND, BEVAN DUFTY, TOM  
 20 AMMIANO, SOPHIE MAXWELL, ROSS  
 MIRKARIMI, AND GERARDO  
 21 SANDOVAL, in their official capacities as  
 members of the Board of Supervisors,

22 Defendants.

Case No. C07-3685 SBA

CLASS ACTION

**ORDER RE: MOTION TO REOPEN  
 FACT DISCOVERY**


Trial Date: July 12, 2010

1 Plaintiffs have filed a motion to reopen the fact discovery period for an additional 30 days.  
2 Fact discovery closed on March 31, 2010, and plaintiffs filed their administrative motion on April 26,  
3 2010. The Court has considered the submissions of the parties and hereby DENIES plaintiffs' motion  
4 to reopen fact discovery.

5 Discovery has already been extended three times in this case. Plaintiffs have failed to  
6 demonstrate good cause for this fourth request for additional fact discovery. With reasonable  
7 diligence, plaintiffs could have completed all necessary discovery within the 32-month fact discovery  
8 period in this case, including the five-week extension plaintiffs sought and the Court granted in  
9 February of this year, over the City's objection. Further, reopening discovery will cause prejudice to  
10 the City, inasmuch as the parties' pretrial submissions are due June 1, 2010 and any reopening of  
11 discovery would require further delays and expense. For these reasons, plaintiffs' motion to reopen  
12 discovery is DENIED.

13 IT IS SO ORDERED.

14  
15 Dated: 5/10/10

  
UNITED STATES DISTRICT JUDGE  
HON. SAUNDRA B. ARMSTRONG