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4 UNITED STATES DISTRICT COURT
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA
6 OAKLAND DIVISION
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8 IVANA KIROLA, et al.,

9 Plaintiffs,

10 vs.

11 THE CITY AND COUNTY OF SAN
12 FRANCISCO, et al.,

13 Defendants.
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Case No: C 07-03685 SBA

**ORDER SETTING FURTHER
BRIEFING SCHEDULE**

15 The parties are presently before the Court on Defendant the City and County of San
16 Francisco's ("the City") Motion for a Modification of the Class Definition to Exclude Howard
17 Chabner as a Class Member. Dkt. 506. Clarification is required as to the City's assertion that
18 Mr. Chabner "is a City official responsible for developing and implementing the policies
19 challenged by plaintiffs in this lawsuit." *Id.* at 1-2. Accordingly,

20 IT IS HEREBY ORDERED THAT the City shall file by no later than April 1, 2011 at
21 5:00 p.m. a supplemental memorandum, not to exceed five (5) pages, that addresses the
22 following issues:

- 23 1. What does the City mean when it refers to Mr. Chabner as a City "official," and
24 on what grounds does it describe him as such?
- 25 2. On what basis does the City assert that Mr. Chabner is "responsible for
26 developing and implementing" the policies at issue in this lawsuit?
- 27 3. What specific City policies at issue in this lawsuit is Mr. Chabner responsible for
28 "developing and implementing"?
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4. Describe the nature of Mr. Chabner’s authority, if any, to develop and implement the policies at issue in this lawsuit.

5. Describe the actions, if any, that Mr. Chabner takes or has taken in developing and implementing the policies at issue in this lawsuit.

6. Are Mr. Chabner’s actions and/or recommendations as chair of the Physical Access Committee of the Mayor’s Disability Council binding on the City?

IT IS SO ORDERED.

Dated: March 31, 2011


SAUNDRA BROWN ARMS TRONG
United States District Judge