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

7 Plaintiffs,

8 vs.

9 THE CITY AND COUNTY OF SAN  
10 FRANCISCO, et al.,

11 Defendants.

Case No: C 07-3685 SBA

**ORDER DIRECTING PARTIES TO  
MEET AND CONFER AND TO  
FILE JOINT STATEMENT RE  
FURTHER PROCEEDINGS**

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13 On March 10, 2014, Defendants filed their memorandum in response to the Court's  
14 request for supplemental briefing regarding any new factual and/or legal developments that  
15 may bear upon the resolution of this action. Defs.' Supp. Mem., Dkt. 657. In their brief,  
16 Defendants state that they are unable to provide the Court with a comprehensive response  
17 due to the limited time to respond and page limitations specified in the Court's order. *Id.* at  
18 1-2. Rather, Defendants contend that they should be afforded an additional and expanded  
19 opportunity to submit briefing and evidence, and posit that additional court proceedings are  
20 necessary for the Court to render a final decision on Plaintiff's claims. *Id.* Plaintiff's  
21 response brief currently is due on March 24, 2014. Order Re Supp. Briefing, Dkt. 656.

22 To ensure that the Court is sufficiently informed and that parties have a full and fair  
23 opportunity to express their views in this action, the Court directs the parties to meet and  
24 confer regarding what, if any, additional briefing, submission of evidence and/or further  
25 court proceedings are necessary and appropriate for the final resolution of this action. In  
26 addition, the parties shall meet and confer regarding potential, further motion practice or  
27 supplemental briefing regarding: (1) the issue of Plaintiff's standing, specifically as to  
28 Plaintiff's purported injury-in-fact; (2) whether the previously-issued class certification

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1 order should be reconsidered in light of the record developed at trial and/or changes in the  
2 law, such as the Supreme Court's post-certification clarification of Federal Rule of Civil  
3 Procedure 23(a)(2)'s commonality requirement in Wal-Mart Stores, Inc. v. Dukes, 131 S.  
4 Ct. 2541 (2011); and (3) Defendant's program access improvements relating to public  
5 rights of way, recreational facilities and public libraries. By no later than April 11, 2014,  
6 the parties shall submit a Joint Statement Re Further Proceedings setting forth their agreed  
7 upon and/or separate proposals regarding the foregoing. The Court's Order Re  
8 Supplemental Briefing is vacated pending further order of the Court.

9 IT IS SO ORDERED.

10 Dated: March 20, 2014

  
11 SAUNDRA BROWN ARMSTRONG  
12 Senior United States District Judge  
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