

UNITED STATES DISTRICT COURT
For the Northern District of California

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UNITED STATES DISTRICT COURT
Northern District of California
Oakland Division

U-HAUL CO. OF CALIFORNIA *et al.*,
Plaintiffs,
v.
CITY OF BERKELEY,
Defendant.

No. C 08-02313 LB
**ORDER REGARDING FEBRUARY 22,
2012 STATUS REPORT**
[Re: ECF No. 64]

On April 1, 2011, the court ordered the parties to file a joint status report on December 1, 2011, updating the court on the status of a parallel state court proceeding involving the same parties. Order, ECF No. 60.¹ After some delay, and a reminder from this court’s staff, defendant City of Berkeley (“the City”) filed a status report on February 22, 2012. Status Report, ECF No. 64.²

The report states that the City’s motion for summary judgement in the state court proceeding was granted on January 2, 2012. *Id.* Plaintiffs’ have filed a motion to reconsider that summary judgment ruling, and that motion is set for hearing on May 11, 2012. *Id.* The City also has filed a

¹ Citations are to the Electronic Case File (“ECF”) with pin cites to the electronic page number at the top of the document, not the pages at the bottom.

² In the report, the City states that, after receiving assurances that Plaintiffs’ counsel intended to follow-up with the City regarding the joint status update, Plaintiffs’ counsel stopped responding to the City’s emails. Status Report, ECF No. 64 at 2. Accordingly, the City drafted the status report without input from Plaintiffs. *Id.*

1 motion for fees and costs to be heard on the same day as the motion for reconsideration. *Id.*

2 In light of these developments in the ongoing state court proceeding, the parties are ordered to
3 file another joint status report no later than June 1, 2012.

4 **IT IS SO ORDERED.**

5 Dated: March 2, 2012


LAUREL BELLER
United States Magistrate Judge

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