

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAUL CICALA, et al.,  
Plaintiffs,

No. C 08-04032 CW  
C 09-00176 RMW  
C 09-02617 EJD

v.

CITY OF SAN JOSE, et al.,  
Defendants.

ORDER REGARDING  
MOTION FOR CLASS  
CERTIFICATION AND  
CASE MANAGEMENT  
STATUS REPORT

FRANCISCO VALDEZ, et al.,  
Plaintiffs,

v.

CITY OF SAN JOSE, et al.,  
Defendants.

RONALD HEIMAN,  
Plaintiff,

v.

OFFICE JOHNSON, BADGE NO. 3827;  
et al.,  
Defendants.

The present cases have been ordered related with respect to their claims for injunctive relief under the theory of municipal liability established in Monell v. Department of Social Services, 436 U.S. 658 (1989). C 08-04032 CW, Docket No. 38; C 09-02617 EJD, Docket No. 34; C 09-00176 RMW, Docket No. 21. On

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1 August 24, 2011, the Court approved the parties' stipulation to  
2 vacate the case management conference that was set for August 26,  
3 2011 and extended indefinitely the briefing schedule for  
4 Plaintiffs' motion for class certification in the Valdez case.  
5 One reason the Court extended the deadline for the motion for  
6 class certification was to permit the Cicala and Heiman Plaintiffs  
7 to settle their Monell claims. Previously, on August 17, 2011,  
8 Court confirmed that the Cicala and Heiman Plaintiffs were  
9 permitted to settle those claims, as long as the parties to those  
10 actions, including the municipal defendants, stipulate that any  
11 settlement will not have any effect on the claims or defenses in  
12 the Valdez case.

13 Thus far, Plaintiffs in the Cicala and Heiman actions have  
14 not reported whether they have settled their Monell claims.  
15 However, given the age of the present cases, the Court will not  
16 delay the class certification motion indefinitely. Therefore, the  
17 parties in all three actions shall submit a joint status report  
18 within fourteen days of this order. The report shall address  
19 (1) what efforts have been made to settle the actions, (2) a  
20 proposed briefing schedule for a motion for class certification in  
21 the Valdez action, and (3) any other matters that may delay  
22 briefing on the motion for class certification.

23 IT IS SO ORDERED.

24  
25 Dated: 10/7/2011

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CLAUDIA WILKEN  
United States District Judge