

United States District Court
For the Northern District of California

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

BRIAN GILMER, ANTHONY RODGERS,
DELORIS WILKINS, JERRY WILLIAMS,
RAYMOND ROBBINS,

Plaintiffs,

v.

ALAMEDA-CONTRA COSTA TRANSIT
DISTRICT,

Defendant.

No. C 08-05186 CW

ORDER REGARDING
DAMAGES PHASE OF
THIS ACTION


On November 16, 2011, the parties each submitted statements addressing how to resolve the damages phase of this action. The Court's November 2, 2011 order merely denied Defendant AC Transit District's motion to decertify the collective action; it did not establish that 511.org data can be used to award damages as a matter of law. Plaintiffs shall move for summary adjudication of that issue within twenty-eight days, if they contend that it can be decided as a matter of law. By that date Plaintiffs shall move to add additional Plaintiffs as well, if they wish to do so, in the same brief. Finally, Plaintiffs shall provide authority for deciding their individual damages claims without a jury, as they

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propose to do if a special master is appointed to make
recommendations regarding individual damage awards for Plaintiffs.
The District's response to Plaintiffs' filing should also address
its request for additional discovery.

IT IS SO ORDERED.

Dated: 11/22/2011



CLAUDIA WILKEN
United States District Judge