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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NATHANIEL HOLMES,

Plaintiff,

No. C 09-5781 PJH

v.

ORDER RE FURTHER BRIEFING

TENDERLOIN HOUSING CLINIC,
INC., et al.,

Defendants.

On March 24, 2010, the court heard argument in connection with the motion to dismiss filed by defendant Service Employees International Union, Local 1021. At the hearing, the court raised the question whether plaintiff could assert a claim under Art. 1, Sec. 8 of the California Constitution against the defendant Union, in view of the fact that the Union is not, and has never been, plaintiff's employer.

On March 25, 2010, the Union filed a two-page supplemental brief, arguing that plaintiff could not assert a claim against it under Art. 1, Sec. 8. Before considering the matter further, the court would like to give plaintiff an opportunity to respond to the Union's arguments. Accordingly, no later than March 30, 2010, plaintiff may file a supplemental brief, not to exceed three pages, addressing the issue discussed in the Union's supplemental brief.

IT IS SO ORDERED.

Dated: March 26, 2010



PHYLLIS J. HAMILTON
United States District Judge

United States District Court
For the Northern District of California