

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

SEAN PRYOR,
Plaintiff,

v.

CITY OF CLEARLAKE, a governmental entity; CARL MILLER, individually, and in his capacity as a police officer for the City of Clearlake and acting sergeant; ALAN WADE McCLAIN, individually and in his capacity as Chief of Police for the City of Clearlake; CRAIG CLAUSEN, individually and in his capacity as Police Lieutenant for the City of Clearlake; MICHAEL RAY, individually, and in his capacity as a police officer for the City of Clearlake; and DOES 1-50, individually, and in their capacity as police officers for the City of Clearlake,
Defendants.

No. C 11-0954 CW

ORDER GRANTING IN PART DEFENDANTS' REQUEST FOR CLARIFICATION (Docket No. 48)

The Court has received Defendants' December 6, 2011 letter requesting clarification of the Court's November 21, 2011 order granting the ex parte Application of Defendants Carl Miller, Michael Ray, Craig Clausen and Allan Wade McClain to Exceed Page Limit on Consolidated Motion for Summary Adjudication.¹ The June

¹ Defendants are advised that normally requests for clarification are submitted pursuant to Civil Local Rule 7-11, in the form of a motion for administrative relief. However, given the approaching deadline, the Court will consider Defendants' request.

1 9, 2011 case management order was intended to require that all
2 issues on behalf of all Defendants be contained in one motion of
3 twenty-five pages or less. Unfortunately, the Court overlooked
4 the first footnote in the November 21, 2011 application, in which
5 Defendants' intention to file two motions is evident, and thus did
6 not correct Defendants' misunderstanding.

7 Accordingly, the Court clarifies that all Defendants in this
8 action shall file a single joint motion for summary judgment on or
9 before December 12, 2011. The Court will allow up to fifty pages
10 for this motion if necessary. The opposition brief, not to exceed
11 the number of pages in Defendants' brief, shall be filed on or
12 before December 20, 2011. Defendants may file a twenty page reply
13 brief on or before December 27, 2011. A hearing on the motion is
14 set for January 12, 2012.

15 IT IS SO ORDERED.

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17 Dated: December 7, 2011

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20 CLAUDIA WILKEN
21 United States District Judge
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