

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

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4 CALIFORNIA-NEVADA ANNUAL  
5 CONFERENCE OF THE METHODIST  
6 CHURCH,

7 Plaintiff,

8 PACIFIC POLK PROPERTIES, LLC,

9 Plaintiff in Intervention,

10 vs.

11 CITY AND COUNTY OF SAN  
12 FRANCISCO,

13 Defendant.

Case No.: 11-cv-02338-YGR

**ORDER TERMINATING MOTION FOR  
JUDGMENT ON THE PLEADINGS WITHOUT  
PREJUDICE**

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15 The Request for Conditional Use Authorization and Request for Variance at issue in this  
16 action are scheduled to be heard before the San Francisco Planning Commission on October 3, 2013,  
17 with a preliminary recommendation of "Approve with Conditions." In light of the above, the Court  
18 hereby **TERMINATES** the pending Motion for Judgment on the Pleadings **WITHOUT PREJUDICE** for  
19 Defendant to re-notice the matter before the Court if the need arises.

20 In addition, a compliance hearing regarding a status update shall be held on Friday, November  
21 1, 2013 on the Court's 9:01 a.m. calendar in Courtroom 5. Five (5) business days prior to the date of  
22 the compliance hearing, the parties shall file either: (a) joint status update; or (b) a one-page joint  
23 statement setting forth an explanation for their failure to comply. If compliance is complete, the  
24 parties need not appear and the compliance hearing will be taken off calendar. Telephonic  
25 appearances will be allowed if the parties have submitted a joint statement in a timely fashion.  
26 Failure to do so may result in sanctions.


27 This Order terminates Dkt. No. 81.

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**IT IS SO ORDERED.**

Dated: September 30, 2013

  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**