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4 UNITED STATES DISTRICT COURT
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA
6 OAKLAND DIVISION
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8 G.F., by and through her guardian ad litem,
9 Gail F.; W.B., by and through his guardian ad
10 litem, CiCi C.; Q.G., by and through his
11 guardian ad litem, Barbara C.; and on behalf of
12 themselves and a class of those similarly
13 situated,

14 Plaintiffs,

15 vs.

16 CONTRA COSTA COUNTY, et al.,

17 Defendants.
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Case No: C 13-03667 SBA

ORDER

Docket 8, 43, 62

19 On August 8, 2013, Plaintiffs commenced the instant putative class action and filed
20 a motion for class certification. Dkt. 1, 8. On September 12, 2013, Defendants Contra
21 Costa County, Contra Costa County Department of Probation, Philip Kader, and Bruce
22 Pelle filed a motion to dismiss the complaint. Dkt. 43. On October 17, 2013, Defendants
23 Contra Costa County Office of Education, Joseph A. Ovick, and Lynn Mackey filed a
24 revised motion to dismiss the complaint. Dkt. 62. On December 24, 2013, Plaintiffs filed a
25 first amended complaint.¹ Dkt. 87. Accordingly,

26 **IT IS HEREBY ORDERED THAT:**

27 1. Defendants Contra Costa County, Contra Costa County Department of
28 Probation, Philip Kader, and Bruce Pelle's motion to dismiss the complaint is DENIED as
MOOT.

¹ The named Defendants are Contra Costa County and Contra Costa County Office of Education. Dkt. 87.

1 2. Defendants Contra Costa County Office of Education, Joseph A. Ovick, and
2 Lynn Mackey's revised motion to dismiss the complaint is DENIED as MOOT.

3 3. Plaintiffs' motion for class certification is DENIED without prejudice.
4 Plaintiffs may refile their motion for class certification by no later than ten (10) days from
5 the date this Order is filed. Plaintiffs shall notice the motion for hearing on March 18,
6 2014. Defendants shall file their oppositions by no later than February 7, 2014. Plaintiffs
7 shall file their reply briefs by no later than February 28, 2014.

8 4. This Order terminates Docket 8, 43, and 62.

9 IT IS SO ORDERED.

10 Dated: 12/30/2013

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12 SAUNDRA BROWN ARMSTRONG
13 United States District Judge
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