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8 Attorneys for Defendants
 9 City and County of San Francisco, Phillip M. Gordon; Glen Paul Minioza; Brian W. Kneuker; Carlos
 Gutierrez; Craig F. Tom; Patrick F. Pene; Julio C. Palencia; Andrew N. Brown; Paul E. Rapicavoli;
 10 Matthew M. O’Shea; Michael Hennessey; Greg Suhr; Roel L. Lapitan; Frank Latko A.K.A. Franzi
 Latko
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12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 GARY RICHARD LAWMAN by and through
 his Guardian ad Litem Richard de Villiers,

15 Plaintiff,

16 vs.

17 CITY AND COUNTY OF SAN
 18 FRANCISCO, PHILLIP M. GORDON; GLEN
 PAUL MINIOZA; BRIAN W. KNEUKER;
 19 CARLOS GUTIERREZ; CRAIG F. TOM;
 PATRICK F. PENE; JULIO C. PALENCIA;
 20 ANDREW N. BROWN; PAUL E.
 RAPACAVOLI; MATTHEW M. O’SHEA;
 21 MICHAEL HENNESSEY; GREG SUHR;
 ROEL L. LAPITAN; FRANK LATKO a.k.a.
 22 FRANZI LATKO; and DOES 1 through 50,
 inclusive,
 23

24 Defendants.

Case No. 15-CV-01202 DMR (JCS)

**DEFENDANTS’ MOTION TO REMOVE
 INCORRECTLY FILED DOCUMENTS;
 [PROPOSED] ORDER**

Trial Date: June 6, 2016

25
 26 PLEASE TAKE NOTICE that Defendants City and County of San Francisco and Phillip M.

27 Gordon; Glen Paul Minioza; Brian W. Kneuker; Carlos Gutierrez; Craig F. Tom; Patrick F. Pene; Julio

28 C. Palencia; Andrew N. Brown; Paul E. Rapicavoli; Matthew M. O’Shea; Michael Hennessey; Greg

1 Suhr; Roel L. Lapitan; Frank Latko A.K.A. Franzi Latko (“Defendants”) submit this Motion to
2 Remove Incorrectly Filed Document entitled Notice of Motion and Motion for Summary Judgment or
3 Partial Summary Judgment: Memorandum of Points and Authorities (“Memorandum of Points and
4 Authorities”) (Dkt. No. 34), which was inadvertently e-filed publicly in support of Defendants’
5 Motion for Summary Judgment.

6 The aforementioned document was lodged provisionally under seal with the Court under Local
7 Rule 79-5(d) and should not have been publicly filed. (Declaration of Rebecca A. Bers In Support of
8 Defendants’ Motion to Remove Incorrectly Filed Documents “Bers Dec.” ¶3.) Though the
9 Memorandum of Points and Authorities was lodged with the Court under seal, the redacted version
10 was inadvertently lodged under seal, and the unredacted version was inadvertently uploaded to ECF.
11 (Bers Dec. ¶5.) The ECF Help Desk was notified, and a temporary hold was placed on these
12 documents, after this inadvertent filing error was discovered. (Bers Dec. ¶6.) While no longer publicly
13 accessible, these documents cannot be permanently removed until the Court rules on this motion. (*Id.*)
14 Corrected public versions of the aforementioned dockets have been filed. (Bers Dec. ¶6.)

15 Defendants respectfully request that this Court authorize the removal of the incorrectly filed
16 documents from the docket.

17 Dated: November 10, 2015

18 DENNIS J. HERRERA
19 City Attorney
20 CHERYL ADAMS
21 Chief Trial Deputy
22 JAMES HANNAWALT
23 REBECCA A. BERS
24 Deputy City Attorneys

25 By: /s/ Rebecca A. Bers
26 REBECCA A. BERS

27 Attorneys for Defendants
28 City and County of San Francisco, Phillip M. Gordon;
Glen Paul Minioza; Brian W. Kneuker; Carlos Gutierrez;
Craig F. Tom; Patrick F. Pene; Julio C. Palencia; Andrew
N. Brown; Paul E. Rapicavoli; Matthew M. O’Shea;
Michael Hennessey; Greg Suhr; Roel L. Lapitan; Frank
Latko a.k.a. Franzi Latko

ORDER

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FOR GOOD CAUSE SHOWN, the Court grants Defendants' Motion to Remove Incorrectly Filed Documents entitled Notice of Motion and Motion for Summary Judgment or Partial Summary Judgment: Memorandum of Points and Authorities (Dkt. 34), which was inadvertently e-filed publicly, from the docket.

IT IS SO ORDERED.

Dated: November 16, 2015

By: _____

