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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AARON HALL,

Plaintiff,

v.

CITY OF PLEASANTON *et al.*,

Defendants.

Case No.: 15-cv-2706-YGR

ORDER GRANTING MOTION TO DISMISS;
REFERRING TO MAGISTRATE FOR
SETTLEMENT CONFERENCE; VACATING CASE
MANAGEMENT CONFERENCE

Re: Dkt. No. 27

United States District Court
Northern District of California

Plaintiff Aaron Hall brings this civil action against defendants City of Pleasanton, Chief of Police Dave Spiller, Sergeant Mark Reimer, Detective Michael Wilson, Officer Tujague, and Officer Steve Ayers (collectively, “defendants”) for claims arising out of incidents following the execution of a search warrant at plaintiff’s residence. Plaintiff alleges two claims under 42 U.S.C. section 1983, specifically: (1) against all defendants for violation of his rights under the First, Fourth, and Fourteenth Amendments, and (2) against defendants Chief Spiller and Sergeant Reimer for ratifying and condoning the unlawful conduct of their subordinates.


Defendants filed a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6) on the grounds that plaintiff has failed to state a claim against them. (Dkt. No. 27, “Mtn.”) Having carefully considered the papers submitted and the pleadings in this action, and for the reasons set forth in full detail on the record on December 1, 2015, defendants’ motion to dismiss is **GRANTED WITH LEAVE TO AMEND**. Plaintiff shall file a second amended complaint no later than **January 29, 2016**.

Moreover, and pursuant to Local Rule 72-1, this matter is hereby **REFERRED** to Magistrate Judge Westmore to conduct a mandatory settlement conference by no later than January 22, 2016. The parties will be advised of the date, time, and place of the settlement conference by notice from Judge Westmore.

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The Case Management Conference currently set for January 25, 2016 is hereby **VACATED.**
IT IS SO ORDERED.

Dated: December 2, 2015


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

cc: MagRef Email; Magistrate Judge Westmore