

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

E-FILED on 9/2/2010

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RUSSELL COLE and STEPHANIE OBERG,

Plaintiffs,

v.

SUNNYVALE, CHIEF DON JOHNSON,
OFFICER STEVEN ROCHEVILLE,
LIEUTENANT TRACY HERN, OFFICER
SCOTT CORTESE, and CAPTAIN KELLY
FITZGERALD,

Defendants.

No. C-08- 05017 RMW

ORDER GRANTING DEFENDANTS'
MOTION TO BIFURCATE

[Re Docket No. 92]

Defendants move for an order bifurcating plaintiffs' municipal liability claims under 42 U.S.C. Section 1983 and for a stay of discovery related to such claims. Plaintiffs did not oppose the motion. For good cause appearing, defendant's motion is granted. Plaintiffs' municipal liability claims are bifurcated from the direct liability claims, and all discovery related to municipal liability is stayed.

DATED: 9/2/2010



RONALD M. WHYTE
United States District Judge