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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JOSEPH CIAMPI,  
Plaintiff,  
v.  
CITY OF PALO ALTO, et al.,  
Defendants.

Case No.: C 09-2655 LHK (PVT)  
**ORDER RE DEFENDANTS' REQUEST  
FOR CLARIFICATION**  
**(Re: Docket No. 71)**

On November 12, 2010, Defendants filed the Declaration of Andrew Hinz in Opposition to Motion for Order to Compel Defendants and Defendant Burns to Produce and Provide Discovery. Although the Defendants failed to obtain leave of court to file this post-reply declaration<sup>1</sup> the court is inclined to consider the declaration in connection with Plaintiff's motion. Therefore,

IT IS HEREBY ORDERED that Plaintiff shall file a response to the Hinz Declaration no later than November 18, 2010.

IT IS FURTHER ORDERED that the hearing on Plaintiff's motion to compel is CONTINUED to November 23, 2010.

Dated: 11/12/10

*Patricia V. Trumbull*  
PATRICIA V. TRUMBULL  
United States Magistrate Judge

<sup>1</sup> See, CIVIL L.R. 7-3(d) (prohibiting parties from filing such supplementary material without leave of court).

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*Counsel automatically notified of this filing via the court's Electronic Case Filing system.*

copies mailed on 11/12/10 to:

Joseph Ciampi  
P.O. Box 1681  
Palo Alto, CA 94302

/s/ Donna Kirchner for  
OSCAR RIVERA  
Courtroom Deputy