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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|---------------------------------------|---|----------------------------|
| EVAN DEVITO, |) | Case No.: CV 11-03225 PSG |
| |) | |
| Plaintiff, |) | ORDER LIFTING STAY |
| |) | |
| v. |) | (Re: Docket No. 24) |
| |) | |
| CITY OF SAN JOSE, OFFICER BRIAN JETT, |) | |
| OFFICER TIM ALFORD, and DOES 1-50, |) | |
| |) | |
| Defendants. |) | |
| |) | |

On October 17, 2011, the court granted the parties’ request to stay this matter pending the resolution of criminal charges against Evan Devito (“Devito”).¹ On July 5, 2012, the court ordered that each party submit a letter to the court apprising it of: (1) the present status of Devito’s criminal case; and (2) whether the stay should be lifted.

On July 13, 2012, Devito submitted a letter to the court apprising it of the status of his criminal case.² On July 17, 2012, after reviewing the letter, the court ordered that the stay remain in place.³ On August 9, 2012, Devito submitted another letter to the court, apprising it that the criminal matter had been resolved, and requesting that the court lift the stay.⁴

¹ See Docket No. 24 (Order Granting Req. to Stay Pl.’s Remaining Cause of Action) at 6.

² See Docket No. 26.

³ See Docket No. 27 (Order).

⁴ See Docket No. 29.

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The court ORDERS that the stay be lifted, and that the parties appear on August 21, 2012,
at 2:00 p.m. for a status conference.

IT IS SO ORDERED.

Dated: August 10, 2012


PAUL S. GREWAL
United States Magistrate Judge