

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CITY OF SAN JOSE,)	Case No.: 12-CV-02904-LHK
)	
Plaintiff,)	ORDER RE MOTIONS TO DISMISS
)	
v.)	
)	
SAN JOSE POLICE OFFICERS')	
ASSOCIATION; SAN JOSE FIREFIGHTERS,)	
I.A.F.F LOCAL 230; MUNICIPAL)	
EMPLOYEES' FEDERATION, AFSCME,)	
LOCAL 101; CITY ASSOCIATION OF)	
MANAGEMENT PERSONNEL, IFPTE,)	
LOCAL 21; INTERNATIONAL UNION OF)	
OPERATING ENGINEERS, LOCAL NO. 3;)	
and DOES 1-10,)	
)	
Defendants.)	

On June 26, 2012, Defendants San Jose Firefighters, I.A.F.F. Local 230, and City Association of Management Personnel, IFPTE, Local 21, filed a motion to dismiss or in the alternative to stay ("Firefighters' Motion"). ECF No. 8. The Firefighters' motion is set to be heard October 4, 2012. On July 16, 2012, Defendant San Jose Police Officers' Association filed a separate motion to dismiss or in the alternative to stay ("Police Officers' Motion"). ECF No. 41. The Police Officers' motion is set to be heard November 15, 2012. On July 18, 2012, the Courtroom Deputy received a request for a hearing date for a third motion to dismiss to be filed by Defendant Municipal Employees' Federation, AFSCME, Local 101.

1 The Court has reviewed the Firefighters’ and the Police Officers’ motions and finds that
2 there are several overlapping issues between the two motions. In the interest of efficiency, all
3 Defendants are hereby ordered to meet and confer by July 23, 2012, to consider filing a single
4 consolidated motion to dismiss. If Defendants agree to file a consolidated motion to dismiss, the
5 Court will consider granting a small extension to the page limits imposed by the Civil Local Rules
6 and hearing the consolidated motion on October 4, 2012. Defendants shall meet and confer with
7 Plaintiff City of San Jose (“Plaintiff”) and propose page limits and a stipulated briefing schedule
8 that provides the Court at least three weeks to review the reply before the October 4, 2012 hearing.
9 By July 25, 2012, the parties shall file a status report and, if agreement regarding the above is
10 reached, a stipulation and proposed order.

11 The Court notes that Defendant International Union of Operating Engineers, Local No. 3
12 (“IUOE”), was served on July 13, 2012. ECF No. 39. Plaintiff shall serve a copy of this Order on
13 IUOE by July 19, 2012, and the Court requests that the parties include IUOE when they meet and
14 confer. IUOE’s counsel must file an appearance by July 25, 2012.¹

15 **IT IS SO ORDERED.**

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17 Dated: July 18, 2012



LUCY H. KOH
United States District Judge

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¹ Pursuant to Civil Local Rule 3-9, “[a] corporation, unincorporated association, partnership or other such entity may appear only through a member of the bar of this Court.”