

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 HEARING ON 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.)	

The Court has reviewed the City of San Jose's letter dated 9/26/12, ECF No. 76, in which the City of San Jose states its intent to seek leave to bring its federal claims in a cross-complaint in the consolidated actions in Santa Clara County Superior Court, and the Municipal Employees' Federation's response dated 9/26/12, ECF. No. 77, opposing continuance of the October 4, 2012 hearing. The Court will proceed with the October 4, 2012 hearing on Defendants' three pending motions to dismiss, ECF Nos. 8, 56, and 57, unless by Monday, October 1, 2012, the parties stipulate to a stay of this case pending the Superior Court's resolution of the state law claims in this case or the City of San Jose dismisses this case pursuant to Federal Rule of Civil Procedure 41.

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IT IS SO ORDERED.

Dated: September 28, 2012



LUCY H. KOH
United States District Judge