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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 TO FILE STATUS UPDATE 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.

Plaintiff City of San Jose has voluntarily dismissed Defendant San Jose Police Officers' Association and Defendant Municipal Employees' Federation, AFSCME, Local No. 101. ECF No. 80. Three Defendants remain: (1) San Jose Firefighters I.A.F.F. Local 230 ("Firefighters Local"); (2) City Association of Management Personnel, IFPTE, Local 21; and (3) the International Union of Operating Engineers, Local No. 3. Of the remaining Defendants, only Defendant Firefighters Local has moved to dismiss the Complaint. On October 1, 2012, the City of San Jose notified the Court of its intention to file a motion for leave to dismiss the complaint.

Case No.: 12-CV-02904-LHK

ORDER TO FILE STATUS UPDATE

United States District Court For the Northern District of California

Each of the four remaining parties is hereby ORDERED to file, by 10 a.m. on October 2, 2012, a status report addressing the following: (1) each party's position as to whether the hearing on Defendant Firefighters Local's Motion to Dismiss should proceed as scheduled on October 4, 2012; (2) each party's position on the City of San Jose's motion for leave to dismiss its Complaint, and (3) the possibility of reaching a stipulation of dismissal.

IT IS SO ORDERED.

Dated: October 1, 2012

LUCY H. KAH United States District Judge

Case No.: 12-CV-02904-LHK ORDER TO FILE STATUS UPDATE