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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CATHERINE BRYAN,
Plaintiff,
vs.
CITY OF CARLSBAD, et al.,
Defendants.

CASE NO. 17cv697-LAB (BLM)
**ORDER REQUIRING PLAINTIFF TO
SUPPLEMENT MOTIONS**

Plaintiff Catherine Bryan filed two motions, a motion to supplement her complaint and a motion to add new Defendants. On review, it appears Bryan wants to add a claim against Carlsbad city council members who, she says, are acquiescing in the City's unconstitutional action. Although her proposed supplemental complaint mentions a conspiracy, the only overt act they are accused of is failing to act in response to a demand letter she sent them. (Docket no. 29-1, ¶¶ 6–7, 9, 10.)

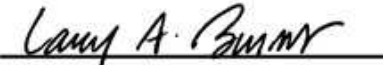
What is unclear is what Bryan thinks the council members individually or collectively should have done. If she is arguing they should have taken action collectively as a council, or individually as council members, they are immune from suit. See *Bogan v. Scott-Harris*, 523 U.S. 44, 54–56 (1998) (city council members were absolutely immune from suit under § 1983 for legislative acts). If she believes they were acting (or failing to act) in some other capacity, she does not say what that was. And the lack of an explanation of what they should have done makes it impossible to infer.

1 No later than **August 18, 2017**, Bryan should file a supplement to her two motions
2 explaining what the proposed new Defendants should have done, and in what capacity they
3 should have acted. The supplement should not be longer than two pages.

4 If Bryan does not provide a satisfactory explanation as directed, the motions may be
5 denied summarily. This order does not suspend the normal briefing schedule, and
6 Defendants should not wait for an order from the Court before filing their oppositions.

7 **IT IS SO ORDERED.**

8 DATED: August 7, 2017

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10 **HONORABLE LARRY ALAN BURNS**
11 United States District Judge

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