

United States District Court

For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEVEN YOURKE,  
Plaintiff,

No. C 03-03105 CRB

**ORDER AND STAY**

v.

CITY AND COUNTY OF SAN  
FRANCISCO, et al.,  
Defendants.

Now pending before the Court is a second round of cross motions for summary judgment in this matter. On September 3, 2004, the Court denied plaintiff's motion for summary judgment on his Monell claim and granted summary judgment for defendants on plaintiff's false arrest claim. On February 23, 2006, the Court issued a Memorandum and Order in a related case, Mary Bull, et al. v. City and County of San Francisco, et al., No. C 03-1840 CRB, which included a determination as to qualified immunity. As a result of that Order, plaintiff moved for partial summary judgment in this matter. Thereafter, defendants cross-moved for summary judgment as to all claims. The Memorandum and Order denying qualified immunity in Bull is presently on appeal before the Ninth Circuit.


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1 Good cause appearing, the Court hereby DENIES all motions without prejudice. The  
2 parties may re-notice their motions for summary judgment after the Ninth Circuit issues its  
3 decision in Bull. All discovery shall be stayed until further notice from the Court.

4 **IT IS SO ORDERED.**

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7 Dated: June 27, 2006

  
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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

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