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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 ESPANOLA JACKSON, PAUL COLVIN,) **CASE NO.: CV-09-2143-RS**
THOMAS BOYER, LARRY BARSETTI,)
12 DAVID GOLDEN, NOEMI MARGARET) **[PROPOSED] ORDER GRANTING MOTION**
ROBINSON, NATIONAL RIFLE) **TO STRIKE PORTIONS OF DEFENDANTS'**
13 ASSOCIATION OF AMERICA, INC. SAN) **ANSWER**
FRANCISCO VETERAN POLICE)
14 OFFICERS ASSOCIATION,) **Fed. R. Civ. P. 12(f)**
15 Plaintiffs)
vs.) Hearing: December 15, 2011
16) Time: 1:30 p.m.
17) Place: Courtroom 3 - 17TH Floor
CITY AND COUNTY OF SAN) San Francisco Courthouse
FRANCISCO, THE MAYOR OF) 450 Golden Gate Ave.
18 SAN FRANCISCO, AND THE CHIEF) San Francisco, CA 94102
OF THE SAN FRANCISCO POLICE)
19 DEPARTMENT, in their official capacities,)
and DOES 1-10,)
20 Defendants.)
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1 Plaintiffs’ Motion to Strike Portions of Defendants’ Answer was came on for hearing
 2 before this Court on December 15, 2011, C.D. Michel and Clinton Monfort appearing for
 3 Plaintiffs and Sherri Sokeland Kaiser appearing for Defendants. After consideration of the briefs
 4 and arguments of counsel, and all other matters presented, the Court finds that Defendants’
 5 renewed ripeness and standing challenges are insufficient as a matter of law because neither raise
 6 proper affirmative defenses and because no disputed fact or issue of law exists that would allow
 7 Defendants to succeed.

8 The Court hereby GRANTS Plaintiffs’ Motion to Strike Portions of Defendants’ Answer.
 9 Defendants’ first and second affirmative defenses and the phrase “Plaintiffs lack standing, their
 10 claims against Section 4512 and 613.10(g) are unripe, and” of paragraph 10, lines 10-11, are
 11 hereby stricken from Defendants’ Answer. The Court further orders: _____

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16 IT IS SO ORDERED.

17 Date: _____

18 _____
 19 Honorable Judge Richard Seeborg
 United States District Court Judge

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