

No. 17-17144 [Dist Ct. No.: 5:15-cv-03698-EJD]

IN THE
UNITED STATES COURT OF APPEAL
FOR THE NINTH CIRCUIT

LORI RODRIGUEZ; et al.,
Plaintiffs - Appellants,

vs.

CITY OF SAN JOSE; et al.,
Defendants - Appellees.

APPEAL FROM THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**APPELLANTS' NOTICE:
NO TRANSCRIPT WILL BE DESIGNATED**

*Donald E. J. Kilmer, Jr.
CA State Bar No.: 179986
1645 Willow Street, Suite 150
San Jose, California 95125
Voice: 408/264-8489
Fax: 408/264-8487
Don@DKLawOffice.com

**Counsel of Record for Plaintiff - Appellants*

NOTICE

Please take notice:

Pursuant to this Court's scheduling order issued on October 20, 2017, Appellants' deadline for designating and ordering any transcript from the hearing in the district court is November 20, 2017.

The case was decided on cross-motions for summary judgment and no evidence outside of the filings by the parties in support of those motions was submitted by the parties; nor was any evidentiary ruling made by the by the district court at the hearing on those cross-motions.

Therefore Appellants will not order any transcripts from said hearing nor designate any portion of counsels' argument from that hearing as part of the record in this matter.

Dated: November 14, 2017

/s/ Donald Kilmer
Donald Kilmer
Attorney for Appellants

CERTIFICATE OF SERVICE

On November 14, 2017, I served the foregoing APPELLANTS' NOTICE: NO TRANSCRIPT WILL BE DESIGNATED, by electronically filing it with the Court's ECF/CM system, which generated a Notice of Filing and effects service upon counsel for all parties in the case.

I declare under penalty of perjury that the foregoing is true and correct. Executed November 14, 2017.

/s/ Donald Kilmer

Attorney for Appellants