## 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

ERRATA TO APPELLANTS' SUPPLEMENTAL BRIEF (DktEntry 58)

\*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

 $<sup>*</sup>Counsel\ of\ Record\ for\ Plaintiff$  - Appellants

## ERRATA TO APPELLANTS' SUPPLEMENTAL BRIEF

The <u>Table of Contents</u> on page ii of DktEntry 58 contains an error. The heading at III. C. is wrong. The heading on page 12 in the brief is correct. Here is the revised <u>Table of Contents</u>.

## **TABLE OF CONTENTS**

Corp	orate	Disclosure
Tabl	e of C	ontents ii
Table of Authorities		
I.	INTRODUCTION	
II.	STATEMENT OF FACTS	
III. ARGUMENT		UMENT
	A.	The Rooker-Feldman Doctrine Does Not Apply to the Facts of this Case
	В.	The <i>Rooker-Feldman</i> Doctrine Does  Not Apply to the Organizational Plaintiff-Appellants 12
	C.	The Affirmative Defense of Preclusion has been Waived 12
	D.	Plaintiff-Appellants' Claims are Not Prelcuded 13
IV.	CONCLUSION	
Cert	ificate	e of Compliance / Statement of Related Case
Proof/Certificate of Service		

Case: 17-17144, 01/08/2019, ID: 11144738, DktEntry: 60, Page 3 of 3

Respectfully Submitted.

January 8, 2019.

/s/ Donald Kilmer
Attorney for Appellant-Plaintiffs

**CERTIFICATE OF SERVICE** 

On January 8, 2019, I served the foregoing ERRATA TO

APPELLANTS' SUPPLEMENTAL BRIEF (DktEntry 58)

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 January 8, 2019,

/s/ Donald Kilmer
Attorney for Appellants

ii