



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

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Case Number: CGC-08-479553

Filing Date: Sep-30-2008 12:29

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ORDER

GREEN CO., AN ILLINOIS CORPORATION VS. THE CITY AND COUNTY OF SAN FRANCISCO

001C02267874

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FILED
San Francisco County Superior Court

SEP 30 2008

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7
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CITY AND COUNTY OF SAN FRANCISCO, ET AL.

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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SAN FRANCISCO
12 UNLIMITED JURISDICTION

13 WALGREEN CO., an Illinois corporation,
14 Plaintiff,

15 vs.

16 THE CITY AND COUNTY OF SAN
17 FRANCISCO; THE BOARD OF
18 SUPERVISORS FOR THE CITY AND
19 COUNTY OF SAN FRANCISCO; and
GAVIN NEWSOM, in his capacity as
Mayor of the City and County of San
Francisco,

20 Defendants.
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Case No. 479-553

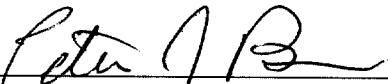
**~~PROPOSED~~ ORDER DENYING
PLAINTIFF WALGREEN CO'S
APPLICATION FOR A
PRELIMINARY INJUNCTION**

Hearing Date: September 30, 2008
Time: 9:30 a.m.
Place: Dept. 301

Date Action Filed: September 8, 2008

1 The Application for a Preliminary Injunction in the above-captioned matter came on for
2 hearing at 9:30 a.m. on September 30, 2008, in Department 301 of this Court, located at 400
3 McAllister Street, San Francisco, before the Honorable Peter J. Busch. Daniel M. Kolkey appeared
4 on behalf of Plaintiff Walgreen Co. ("Walgreens"). Vince Chhabria appeared on behalf of
5 defendant City and County of San Francisco, et al. Having considered the points and authorities
6 and supporting documents, and having heard argument of counsel, the Court orders that the
7 Application for a Preliminary Injunction is DENIED, because Walgreens has failed to show a
8 likelihood of success on the merits of its equal protection claim, or its claim that Ordinance No. 194-
9 08 is invalid for failure to comply with Proposition I.

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12 Dated: 9/30/08

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14 By: 
15 PETER J. BUSCH
16 SUPERIOR COURT JUDGE

17 case # 479 553
18 Walgreen vs CCSP
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