



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

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Sep-30-2008 12:31 pm

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.

9  
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  
SUPERVISORS FOR THE CITY AND  
18 COUNTY OF SAN FRANCISCO; and  
GAVIN NEWSOM, in his capacity as  
19 Mayor of the City and County of San  
Francisco,

20 Defendants.

Case No. 479-553

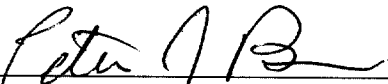
**~~PROPOSED~~ ORDER DENYING  
PLAINTIFF WALGREEN CO'S  
APPLICATION FOR A  
PRELIMINARY INJUNCTION**

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.

10  
11  
12 Dated: 9/30/08

13  
14 By:   
15 PETER J. BUSCH  
16 SUPERIOR COURT JUDGE

17 case # 479 553  
18 Walgreen vs CCSP  
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