

1 STEPHEN E. RONK (SBN: 164333)
 2 MOLLIE BURKS-THOMAS (SBN: 222112)
 3 SAT SANG S. KHALSA (SBN: 256130)
 4 GORDON & REES LLP
 5 633 West Fifth Street, Suite 4900
 6 Los Angeles, CA 90071
 Telephone: (213) 576-5000
 Facsimile: (213) 680-4470
 sronk@gordonrees.com
 mburksthomas@gordonrees.com
 skhalsa@gordonrees.com

7 Attorneys for Defendant
 8 J. Fletcher Creamer & Son, Inc.

9
 10 UNITED STATES DISTRICT COURT
 11 CENTRAL DISTRICT OF CALIFORNIA

12 ANTONIO MARTINEZ, individually
 13 and on behalf of all others similarly
 14 situated,

15 Plaintiff,

16 vs.

17 J. FLETCHER CREAMER & SON,
 18 INC., and DOES 1-10,

19 Defendants.

CASE NO. CV 10 0968 PSG (FMOx)

**DEFENDANT J. FLETCHER
 CREAMER & SON, INC.'S
 NOTICE OF MOTION AND
 RENEWED MOTION FOR
 CERTIFICATION OF ORDER
 FOR INTERLOCUTORY
 REVIEW
 [28 U.S.C. § 1292 (b)]**

**Date: December 6, 2010
 Time: 1:30 p.m.
 Ctrm: 880**

[Filed concurrently with Defendant's
 Memorandum of Points and
 Authorities and Declaration of Mollie
 Burks-Thomas]

24 ///
 25 ///
 26 ///
 27 ///
 28

1 **TO THIS HONORABLE COURT AND TO ALL PARTIES AND**
2 **THEIR ATTORNEYS OF RECORD:**

3 Please take notice that on December 6, 2010 at 1:30 p.m., or as soon
4 thereafter as the matter may be heard in Courtroom 880 before the Honorable
5 Phillip S. Gutierrez of the United States District Court, Central District of
6 California, Western Division, Defendant J. Fletcher Creamer & Son, Inc.
7 (hereinafter referred to as "JFC") will and hereby does respectfully renew its
8 request to this Court to amend its Order and certify its decision, filed August 16,
9 2010 and entered August 13, 2010, denying Defendant's Motion for Summary
10 Judgment, for interlocutory appeal and review under 28 U.S.C. § 1292(b).

11 This Motion is based upon this Notice of Motion and Motion, the
12 accompanying Memorandum of Points and Authorities, the Declaration of Mollie
13 Burks-Thomas, and any Exhibits attached thereto or referenced therein, all of
14 which are filed and served concurrently herewith. This motion is made following
15 the conference of counsel pursuant to L.R. 7-3 which took place on October 20,
16 2010. This Motion is also based upon all records and files in this action, and upon
17 such other and further evidence and argument as may be presented at, or prior to
18 the hearing of this Motion.

19 Dated: November 1, 2010

Gordon & Rees LLP

20
21 By: S/ Sat Sang S. Khalsa
22 Stephen E. Ronk
23 Mollie Burks-Thomas
24 Sat Sang S. Khalsa
25 Attorneys for Defendant
26 JFC & Son, Inc