

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIACIVIL MINUTES—GENERAL**Case No. CV-14-04359-MWF (JEMx)**                      **Date: June 10, 2014**Title: Jose Moreno -v- Rite Aid Corporation, et al.

---

---

Present: The Honorable MICHAEL W. FITZGERALD, U.S. District JudgeDeputy Clerk:  
Rita SanchezCourt Reporter:  
Not ReportedAttorneys Present for Plaintiff:  
None PresentAttorneys Present for Defendant:  
None Present**Proceedings (In Chambers): ORDER TO SHOW CAUSE RE: STAY**

On June 5, 2014, Defendant Rite Aid Corporation removed this action to federal court. (Docket No. 1). On June 10, 2014, this action was transferred to this Court because it was related to another action, *Marine Bargas v. Rite Aid Corporation, et al.*, No. CV 13-03865-MWF-JEM (C. D. Cal. May 30, 2013). (Docket No. 12).

In *Bargas*, the Court found that the factors under the *Colorado River* doctrine weighed in favor of staying the case because the plaintiff was an absent class member in an earlier-filed class action, *Fenley v. Rite Aid Corp.*, No. 1-12-CV-229127 (Cal. Super. Ct. July 25, 2012). (*See Bargas*, Docket No. 21). The Court held that the stay would not be lifted until such time that (1) the *Fenley* plaintiffs' motion for class certification is denied; or (2) assuming the *Fenley* class is certified, Ms. Bargas opts out; or (3) the *Fenley* action terminates for any other reason. (*See id.*).

The Complaint in this action alleges very similar facts and claims as the Complaint in *Bargas*, and thus Plaintiff Jose Moreno also appears to be an absent class member in *Fenley*. Therefore, the Court intends to stay this action under the same conditions as *Bargas*. Any party that objects to the stay is **ORDERED TO SHOW CAUSE** why this action should not be stayed. Any response to the OSC must be in writing and filed **on or before June 25, 2014**. However, neither party is obliged to respond. If the Court does not receive a written response to the OSC on or before the stated deadline, it will enter the contemplated stay.

IT IS SO ORDERED.