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**United States District Court  
Central District of California  
Western Division**

ANNE WOLF, on behalf of herself and  
others similarly situated,

CV 15-01221 TJH (GSx)

Plaintiffs,

v.

**Order to**

HEWLETT PACKARD COMPANY,  
*et al.*,

**Show Cause**

Defendants.

The Court has considered Plaintiffs’ motion for final approval of the class action settlement, together with the moving papers.

On April 25, 2016, Plaintiff Anne Wolf filed a Second Amended Complaint against Defendant Hewlett Packard Company [“HP”], alleging that HP violated California’s Consumer Legal Remedies Act, Cal. Civ. Code § 1750, *et seq.*, by advertising a function on one of its printers that was deactivated. On September 1, 2016, Judge Beverly Reid O’Connell granted Wolf’s motion to certify the class,

1 defining the class as all consumers who purchased the alleged offending printers from  
2 brick and mortar stores in California between April, 2014, and September, 2016.

3 On September 25, 2017, Wolf moved for preliminary approval of the class action  
4 settlement. In that motion, Wolf represented to the Court that she would move to  
5 consolidate the following putative class actions with this case: (1) *Sergi v. HP, Inc.*,  
6 8:16-cv-02225-TJH-GJS; (2) *Romero v. HP, Inc.*, 5:16-cv-05414-EJD, a Northern  
7 District of California case; and (3) *Ferenbach v. Hewlett Packard Co.*, 3:16-cv-02297-  
8 MMA-MDD, a Southern District of California case. The preliminary approval motion  
9 sought to amend the class definition to include individuals that purchased the offending  
10 printers in Texas and online, which encapsulated the parties and claims raised in *Sergi*,  
11 *Romero*, and *Ferenbach*. On October 2, 2017, HP filed a notice of non-opposition to  
12 Wolf's motion for preliminary approval. On March 23, 2018, the Court granted the  
13 preliminary approval motion based on the representation that the cases would be  
14 transferred and consolidated. Notice of the pending settlement was sent to the class  
15 members in this case as well as the putative class members in *Sergi*, *Romero*, and  
16 *Ferenbach*.

17 Wolf, now, moves for final approval of the class action settlement. HP filed a  
18 notice of non-opposition to Wolf's motion.


19 Wolf has yet to cause the consolidation of the aforementioned cases. Indeed, two  
20 of those cases have not yet been transferred to this District, let alone to this Court. The  
21 Court cannot approve a settlement that seeks to settle cases that the Court does not have  
22 jurisdiction over.

23  
24 Accordingly,

25  
26 **It is Ordered** that the parties shall, within thirty days from the date of this  
27 order, show cause as to why the motion for final approval of the class action settlement  
28 should not be denied for the parties' failure to cause: (1) *Sergi* to be consolidated with

1 the instant case; and (2) *Romero* and *Ferenbach* to be transferred to the Central District  
2 of California and consolidated with the instant case.

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4 Date: January 29, 2019

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6 Terry J. Hatter, Jr.  
7 Senior United States District Judge  
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