
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 8:20-cv-00776-JLS-KES

Date: August 15, 2022

Title: Nathan Christensen v. Carter's Retail, Inc. et al

Present: **Honorable JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE**

V.R. Vallery
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANTS:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THIS
CASE SHOULD NOT BE STAYED PENDING THE
CALIFORNIA SUPREME COURT’S DECISION IN
ESTRADA V. ROYALTY CARPET MILLS, 511 P.3d 191
(CAL. 2022)**

On June 30, 2022, the Ninth Circuit held in *Hamilton v. Wal-Mart Stores, Inc.*, 39 F.4th 575 (9th Cir. 2022) that it would be “inappropriate to allow federal courts to treat a freestanding manageability requirement as a dispositive consideration in PAGA cases” relying, in part, on the California Court of Appeal’s decision in *Estrada v. Royalty Carpet Mills, Inc.*, 76 Cal. App. 5th 685 (2022). In *Estrada*, the California Court of Appeal held that courts do not “have inherent authority to strike unmanageable PAGA claims,” a holding opposite of that reached in *Wesson v. Staples the Office Superstore, LLC*, 68 Cal. App. 5th 746 (2021). *Estrada v. Royalty Carpet Mills, Inc.*, 76 Cal. App. 5th 685, 697 (2022).

Just before the Ninth Circuit’s decision in *Hamilton*, the California Supreme Court granted the defendant’s petition for review in *Estrada*. 511 P.3d 191 (Cal. 2022). Moreover, there is a pending Petition for Rehearing or Rehearing En Banc in *Hamilton*. See *Hamilton v. Wal-Mart Stores, Inc.*, Case No. 19-56161, Doc. 85.

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Accordingly, the parties are ordered to show cause, in writing, why this matter should not be stayed pending the California Supreme Court's decision in *Estrada*. The parties are directed to file their responses within five days of this Order's issuance.

Initials of Deputy Clerk: vrv