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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

IN RE TACO BELL WAGE AND HOUR
ACTIONS

Case No. 1:07-cv-01314-SAB

ORDER REQUIRING DEFENDANTS TO
NOTICE THEIR RULE 50(b) MOTION
PURSUANT TO THE LOCAL RULES

(ECF Nos. 693)

A jury trial in this class action commenced on February 22, 2016. On March 7, 2016, Defendants filed a motion for judgment as a matter of law pursuant to Rule 50(a) of the Federal Rules of Civil Procedure. (ECF No. 685.) On March 8, 2016, Plaintiffs filed an opposition to the motion. (ECF NO. 686.) The Court took the motion under submission pending a verdict from the jury. On March 9, 2016, the jury returned a verdict in favor of Plaintiff for one of the classes. The parties were provided with the opportunity to file a supplement to their Rule 50 motion and opposition.

On March 9, 2016, instead of filing a supplement to the Rule 50(a) motion, Defendants filed a renewed motion for judgment as a matter of law pursuant to Rule 50(b) of the Federal Rules of Civil Procedure. (ECF No. 693.) Rule 230(b) of the Local Rules of the Eastern District Court requires that all motions must be noticed and the matter must be heard not less than twenty eight days after service and filing of the motion. The Court finds that the motion filed March 9,

1 2016 is not a supplement to the Rule 50(a), but a new motion as it is based on new facts, the
2 verdict returned by the jury. Therefore, Defendants must comply with the requirements of the
3 Local Rule or file a request for the motion to be heard on shortened time.

4 Accordingly, IT IS HEREBY ORDERED that Defendants shall file a noticed Rule 50(b)
5 motion in compliance with the Local Rules. Plaintiffs are advised that the Court will only
6 consider any supplemental filing as it applies to the Rule 50(a) motion filed on March 7, 2016.
7 IT IS FURTHER ORDERED that the March 11, 2016 hearing shall only address Defendants'
8 Rule 50(a) motion, absent a stipulation of the parties that the Rule 50(b) can be heard on March
9 11. If such stipulation is executed, then the Plaintiffs shall file any opposition to such motion by
10 the deadlines previously set for filing their opposition to the Rule 50(a) motion.

11 IT IS SO ORDERED.

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13 Dated: March 10, 2016



UNITED STATES MAGISTRATE JUDGE

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