

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

FRANCISCO QUINONEZ, et al.,

Plaintiffs,

v.

DIRECT DAIRY TRANSPORT, LLC,
et al.,

Defendants.

CASE NO. CV-F-08-1984 LJO SMS

**ORDER TO SHOW CAUSE
RE UNTIMELY MOTION**

Pursuant to the Stipulation and Order (Doc. 18), the filing deadline for plaintiffs’ motion for class certification pursuant to Rule 23 was set for January 12, 2010. The motion has not been filed, and therefore, the any filed motion would be untimely. Unless plaintiffs show good cause in writing no later than February 1, 2010 for the failure to timely file the motion, the Court intends to dismiss the Rule 23 allegations for the Second, Fourth and Sixth causes of action.

IT IS SO ORDERED.

Dated: January 21, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE