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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SIMON V. GARCIA, et al.

Plaintiffs,

v.

GORDON TRUCKING, INC., et al.,

Defendants.

CASE NO. 1:10-cv-00324-AWI-SKO

**ORDER MODIFYING THE
SCHEDULE AND CONTINUING THE
HEARING ON THE MOTION TO
CERTIFY CLASS**

On January 26, 2012, a telephonic conference was held in chambers and off the record before Magistrate Judge Sheila K. Oberto Pursuant to the agreement of the parties' and approval of the Court, Defendants may file a sur-reply regarding the information set forth in the Declaration of Joseph Krock, Ph.D., submitted in support of Plaintiffs' reply in response to the motion to certify class. (Docs. 133, 136.) Defendants' sur-reply may be filed by no later than March 23, 2012.

The hearing on the motion to certify class, currently set for February 29, 2012, is thus CONTINUED to April 20, 2012, at 9:30 a.m.

Additionally, the scheduling conference, currently set for March 27, 2012, is CONTINUED to June 7, 2012, at 9:15 a.m.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. Defendants may file a sur-reply in response to the Declaration of Joseph Krock,
3 Ph.D., submitted in support of Plaintiffs' reply to the motion to certify class, by no
4 later than March 23, 2012;
- 5 2. The hearing on the motion to certify class is CONTINUED to April 20, 2012, at
6 9:30 a.m. in Courtroom 7, (SKO) before Magistrate Judge Sheila K. Oberto; and
- 7 3. The Scheduling Conference is CONTINUED to June 7, 2012, at 9:15 a.m. in
8 Courtroom 7 (SKO) before Magistrate Judge Sheila K. Roberto.

9
10 IT IS SO ORDERED.

11 **Dated: January 27, 2012**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE