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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PATRICIA FRANCO, et.al.,)	1:10-cv-02354 AWI SKO
)	
Plaintiff,)	
)	
v.)	
)	SCHEDULING ORDER
)	
RUIZ FOOD PRODUCTS, INC.,)	
)	
Defendant.)	
_____)	

On March 22, 2011, a Scheduling Conference was held. Philip Downey, Esq., and Lesley Weaver, Esq., appeared on behalf of Plaintiffs. Mitchell Boomer, Esq., appeared on behalf of the Defendant.

The Court set the following deadlines for Class Certification:

- 1) Any motions or stipulations requesting leave to amend the pleadings must be filed no later than 4/5/2011.¹
- 2) The parties are ordered to exchange the initial disclosures required by Fed. R. Civ. P. 26(a)(1) on or before 4/29/2011.

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¹ The parties are advised that filing motions and/or stipulations requesting leave to amend the pleadings by 4/5/2011 does not reflect on the propriety of the amendment or imply good cause to modify the existing schedule, if necessary. All proposed amendments must (A) be supported by good cause pursuant to Fed. R. Civ. P. 16(b) if the amendment requires any modification to the existing schedule, *see Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992), and (B) establish, under Fed. R. Civ. P. 15(a), that such an amendment is not (1) prejudicial to the opposing party, (2) the product of undue delay, (3) proposed in bad faith, or (4) futile, *see Forman v. Davis*, 371 U.S. 178, 182 (1962).

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- 3) Class certification discovery shall be completed by no later than July 29, 2011.
- 4) Motion for class certification shall be filed by no later than August 31, 2011.
- 5) Any opposition shall be filed by no later than September 30, 2011.
- 6) Any reply shall be filed by no later than October 19, 2011.
- 7) The motion shall be heard no later than November 16, 2011, at 9:30 A.M. before Magistrate Judge Sheila K. Oberto.

IT IS SO ORDERED.

Dated: March 23, 2011

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE