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

**DIANE THOMAS-YOUNG,**  
  
**Plaintiff,**  
  
**vs.**  
  
**SUTTER CENTRAL VALLEY  
HOSPITALS, dba MEMORIAL MEDICAL  
CENTER, a California Corporation; and  
DOES 1-100, inclusive,**  
  
**Defendants.**

**1:12-cv-1410 AWI SKO**  
  
**ORDER DIRECTING BRIEFING ON  
ISSUE OF MERIT PAY INCREASES**  
  
**Doc. # 80**

On March 19, 2014, the court issued a Memorandum Opinion and Order granting Defendant’s motion for summary judgment as to all of Plaintiff’s claims “except to the extent either party may move to clarify that a claim was alleged and continues to be viable for failure to pay yearly merit increases.” Doc. # 79 at 21:24-25. On April 1, 2014, Plaintiff filed a “Petition to Decide on the Issue of Merit Pay Increases as a Theory of Recovery . . . .” Doc. # 80. The court, having invited either party to seek determination of the issue, now directs the parties to submit additional briefing as follows:

Defendant shall file and serve a “Supplemented Motion for Summary Adjudication” addressing the single issue of Plaintiff’s claim for damages arising from misrepresentation of entitlement to merit pay increases not later than twenty-one (21) days from the date of service of

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this order. Plaintiff shall file an “Opposition to Defendant’s Supplemental Motion for Summary Adjudication” not later than fourteen (14) days from the date of service of Defendant’s motion. Defendants may file and serve any reply brief within seven (7) days of the filing of Plaintiff’s opposition. The court will take the matter under submission as of the due date of Defendant’s reply brief and shall thereafter render a decision without oral argument unless examination of the parties’ pleadings indicates the necessity of oral argument.

IT IS SO ORDERED.

Dated: April 4, 2014

  
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SENIOR DISTRICT JUDGE