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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

PETER OLNEY, (on behalf of himself and all others similarly situated),	)	1:12-cv-01724 LJO SKO
	)	
	)	
Plaintiff,	)	
v.	)	SCHEDULING ORDER
	)	
JOB.COM, INC.,	)	
	)	
Defendant.	)	
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JOB.COM, INC.,	)	
	)	
Third Party Plaintiff,	)	
v.	)	
	)	
RESUMEDIRECTOR.COM, NORTH AMERICA LIVE CAREER, INC., LIVE CAREER, INC.,	)	
	)	
Third Party Defendants.	)	
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On July 2, 2013, a scheduling conference was held. Todd Friedman, Esq., appeared telephonically on behalf of Plaintiff. Dane Bitterlin, Esq., and Hugh McCabe, Esq., appeared telephonically for Defendant and Third Party Plaintiff. Darryl Horowitz, Esq., and Scott Schaffer, Esq., appeared telephonically for Third Party Defendants.

1 The parties discussed the issue of intra-district venue and agreed that the Joint Scheduling  
2 Report incorrectly reflected Plaintiff's residence as San Joaquin County, rather than Stanislaus  
3 County. The parties, therefore, agreed that intra-district venue is appropriate in the Fresno division  
4 of the Eastern District of California.

5 The parties have proposed that Third-Party Defendants be permitted to file a motion to deny  
6 class certification. The briefing schedule as to the motion to deny class certification is as follows:

- 7 1) Initial disclosures shall be exchanged by no later than **July 15, 2013;**
- 8 2) Third-Party Defendants' motion to deny class certification shall be filed by no later  
9 than **July 11, 2013;**
- 10 3) Opposition to the motion to deny class certification shall be filed by no later than  
11 **August 22, 2013;**
- 12 4) Defendant shall file a statement of its position on the motion to deny class  
13 certification no later than **August 22, 2013;**
- 14 5) Any reply to the motion to deny class certification shall be filed by no later than  
15 **August 29, 2013;**
- 16 6) The hearing on the motion to deny class certification is set for **Thursday, September**  
17 **19, 2013 at 8:15 a.m.** in Courtroom 4 before District Judge Lawrence J. O'Neill;

18 The Court will conduct a further scheduling conference **on October 3, 2013, at 10:00 a.m.**  
19 **in Courtroom 7** before Magistrate Judge Sheila K. Oberto to discuss the scope of additional  
20 discovery, applicable deadlines for a motion to certify a class, if relevant, and any other pertinent  
21 deadlines in light of Judge O'Neill's decision on the motion to deny class certification. The parties'  
22 joint scheduling report is due by no later than September 26, 2013.

23  
24 IT IS SO ORDERED.

25 **Dated: July 3, 2013**

26 **/s/ Sheila K. Oberto**  
27 **UNITED STATES MAGISTRATE JUDGE**  
28