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

AIDA CORRAL,	)	1:12-CV-1736 AWI SKO
	)	
v.	)	ORDER VACATING HEARING
	)	DATE OF MARCH 11, 2013, ORDER
ENERGIZER HOLDINGS, INC., et al.,	)	SETTING BRIEFING SCHEDULE,
	)	AND ORDER TAKING MATTERS
Defendants.	)	UNDER SUBMISSION
<hr/>		
ALEJANDRA MARTINEZ,	)	
	)	
v.	)	
	)	
ENERGIZER HOLDINGS, INC., et al.,	)	
	)	
Defendants.	)	
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Defendants have noticed for hearing and decision a motion to dismiss. The matter was scheduled for a hearing to be held on March 11, 2013. Three days ago, Plaintiffs filed motions to amend their pleadings. Through informal e-mail communication, the court has been informed that Defendants wish to oppose any motion to amend. While taking no position on the current parties' motions at this time, the court has found that leave to amend after a motion to dismiss has been filed often resolves numerous issues and saves court resources. As such, the court will consider the motions for leave to amend. The court has sufficiently reviewed the applicable motions and relevant law, and has determined that the pending motions are suitable for decision without oral argument. See Local Rule 230(g).

Out of fairness to the parties, the court believes it is necessary to warn all litigants that the Fresno Division of the Eastern District of California now has the heaviest District Judge caseload

1 in the entire nation. The parties are reminded of the availability of a United States Magistrate  
2 Judge to conduct all proceedings in this action, including entry of final judgment, pursuant to 28  
3 U.S.C. § 28 U.S.C. 636(c), Federal Rule of Civil Procedure 73, and Local Rule 305. Any appeal  
4 from a judgment entered by a United States Magistrate Judge is taken directly to the United  
5 States Court of Appeal for the Ninth Circuit. The Fresno Division's United States Magistrate  
6 Judges' generally are able to be more accommodating to the parties' schedules than the  
7 Division's District Court Judges, who must prioritize criminal and older civil cases over more  
8 recently filed civil cases. These statements are only provided as information and have no  
9 bearing on any substantive order the court will issue in the future nor are they intended to be an  
10 indication of this court's view of any pending matter.

11 Therefore, IT IS HEREBY ORDERED that:

- 12 1. The previously set hearing date of March 11, 2013, is VACATED, and no  
13 party shall appear at that time;
- 14 2. Defendants may file any opposition to Plaintiffs' motions to amend by March 25,  
15 2013;
- 16 3. Plaintiffs may file any reply briefs to their motions to amend by April 1, 2013; and  
17 4. As of April 1, 2013, the court will take both the motions to dismiss and motions  
18 for leave to amend under submission and will thereafter issue a decision.

19 IT IS SO ORDERED.

20 Dated: March 8, 2013



21 SENIOR DISTRICT JUDGE