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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KATHERINE COZAD,

Plaintiff,

v.

ASTRAZENECA LP,

Defendants.

Case No. 1:14-cv-02049-SKO

**ORDER FOR SUPPLEMENTAL
BRIEFING**

(Doc. 58)

Before the Court is Defendant Astrazeneca LP’s Motion for Reconsideration of the Court’s Order Partially Granting Defendant’s Motion for Summary Judgment, in which Defendant requests, in part, leave to file a supplemental motion for summary judgment. (Doc. 58 at 13.)

The Court notes that Plaintiff’s second cause of action includes two claims: (1) a failure-to-prevent claim pursuant to California Government Code § 12940(k); and (2) a harassment claim pursuant to California Government Code § 12940(j)(1). (*See* Doc. 1 at 18–19. *Compare id.* at 18 (alleging that Defendant “[f]ailed to take appropriate action when it knew or should have known of the unlawful harassment against [Plaintiff]”), *with* Cal. Gov. Code § 12940(j)(1) (“An employer may . . . be responsible for the acts of nonemployees, with respect to sexual harassment of employees . . . where the employer, or its agents or supervisors, knows or should have known of the conduct and fails to take immediate and appropriate corrective action.”).) The Court further notes that Plaintiff identifies Section 12940(j)(1) as the basis for one of her claims in her

1 Memorandum of Points and Authorities in Opposition to Astrazeneca LP's Motion for Summary
2 Judgment. (See Doc. 39 at 11.) However, in its motion for summary judgment, Defendant does
3 not address Plaintiff's remaining claim pursuant to Section 12940(j)(1). (See Doc. 30.)

4 The Court finds that the interests of judicial economy and efficiency weigh in favor of
5 granting an opportunity to Defendant to file supplemental summary-judgment briefing regarding
6 Plaintiff's Section 12940(j)(1) claim. Accordingly, the Court ORDERS that:

7 (1) Defendant may file a supplemental summary-judgment motion regarding *only*
8 Plaintiff's claim pursuant to California Government Code § 12940(j)(1) by no later than
9 September 30, 2016;

10 (2) Plaintiff may file an opposition to Defendant's supplemental summary-judgment
11 motion by October 7, 2016; and

12 (3) Defendant may file an optional reply brief in support of its supplemental motion by
13 October 11, 2016.

14 The Court further ORDERS the parties to include materials regarding Plaintiff's remaining
15 claim pursuant to California Government Code § 12940(j)(1) in their upcoming filings relating to
16 the trial in this matter.

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18 IT IS SO ORDERED.

19 Dated: September 21, 2016

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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