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

**JOHN PEREZ and on behalf of all  
other similarly situated individuals,**

Plaintiff,

**LEPRINO FOODS COMPANY, a  
Colorado Corporation; LEPRINO  
FOODS DAIRY PRODUCTS  
COMPANY, a Colorado Corporation;  
and DOES 1-50, inclusive,**

Defendants.

**CASE NO. 1:17-CV-00686-DAD-SAB**

**ORDER RELATING AND  
REASSIGNING CASE**

On November 15, 2013, Plaintiff Jerrod Finder (“Finder”) filed a wage and hour class action against Leprino Foods Company and Leprino Foods Dairy Products Company (collectively “Leprino”), alleging California Labor Code violations including failures to provide a second meal break or accurate itemized statements, waiting time violations, Unfair Business Practices Act violations, and Private Attorneys General Act claims based on those substantive violations. On January 21, 2015, Jonathon Talavera (“Talavera”) filed a wage and hour class action against Leprino, alleging, (1) claims relating to Leprino’s donning and doffing procedure for required sanitary gear, (2) the same second meal period denial claim as Finder, and (3) claims for failure to pay all hours worked, overtime, and wages upon termination (based on both (a) the second meal period and rest period denials, and (b) the donning and doffing related claims). The

1 Court consolidated the two actions on November 21, 2016. Doc. 63. On January 20, 2017, the  
2 Court stayed the consolidated action. Doc. 81.

3 On April 13, 2017, counsel for Talavera filed *Perez v. Leprino*—a new putative class  
4 action in Kings County Superior Court against Leprino, alleging claims that appear to be almost  
5 identical to those alleged in the *Talavera* action. *Perez v. Leprino*, EDCA Case No. 1:17-cv-  
6 00686-DAD-SAB, Doc. 1 at 11-32. That action was removed to this Court on May 18, 2017, and  
7 assigned to District Judge Dale Drozd. *Id.* The following day, Leprino filed a notice of related  
8 cases.

9 Local Rules provide that when a “Judge to whom the action with the lower or lowest  
10 number has been assigned determines that assignment of the actions to a single Judge is likely to  
11 effect a savings of judicial effort or other economies, that Judge is authorized to enter an order  
12 reassigning all higher numbered related actions to himself or herself.” Local Rule 123(c). The  
13 above-entitled action appears to involve similar questions of fact and law as *Finder v. Leprino*.  
14 Assignment to the same judge is likely to effect a substantial savings of judicial effort. *See* Local  
15 Rule 123(a)(3). Because the undersigned is assigned the lowest numbered related case, all of the  
16 above-entitled case are hereby reassigned from the dockets of District Judge Dale A. Drozd and  
17 Magistrate Judge Stanley A. Boone to the dockets of Senior District Judge Anthony Ishii and  
18 Magistrate Judge Barbara A. McAuliffe. The Clerk of the Court is also respectfully directed to  
19 relate this action to *Finder v. Leprino*, Case No. 1:13-cv-02059-AWI-BAM.

20  
21 IT IS SO ORDERED.

22 Dated: May 23, 2017

  
23 SENIOR DISTRICT JUDGE