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

**VICTOR VASQUEZ and LINDA  
HEFKE on behalf of all other similarly  
situated individuals,**

PlaintiffS,

**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-00796-DAD-SKO  
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

1 for failure to pay all hours worked, overtime, and wages upon termination (based on both (a) the  
2 second meal period and rest period denials, and (b) the donning and doffing related claims). The  
3 Court consolidated the two actions on November 21, 2016. *Finder v. Leprino*, Case No. 1:13-cv-  
4 2059-AWI-BAM, Doc. 63. On January 20, 2017, the Court stayed the consolidated action. *Id.* at  
5 Doc. 81.

6 On April 13, 2017, counsel for Talavera filed *Perez v. Leprino*. *Perez v. Leprino*, EDCA  
7 Case No. 1:17-cv-00686-AWI-BAM, Doc. 1 at 11-32. That action was removed to this Court on  
8 May 18, 2017, and assigned to District Judge Dale Drozd. *Id.* The following day, Leprino filed a  
9 notice of related cases. *Id.* at Doc. 3. This Court related and reassigned that action on May 24,  
10 2017.

11 On May 8, 2017, counsel for Talavera filed *Vasquez v. Leprino*. *Vasquez v. Leprino*,  
12 EDCA Case No. 1:17-cv-00796, Doc. 1 at 10-26. That action was removed to this Court on June  
13 12, 2017. Doc. 1. The following day, Leprino file a notice of related cases. Doc. 3. The *Vasquez*  
14 action appears to raise some of the same claims for potentially the same class period as the  
15 actions involving Leprino presently assigned to this Court. *E.g., compare* Doc. 1 at 18-22  
16 (alleging claims for meal period violations, wage statement violations, and conversion) *with*  
17 *Perez v. Leprino*, EDCA Case No. 1:17-cv-00686-AWI-BAM, Doc. 10 at 15-16, 18-19, 21-22  
18 (same).

19 Local Rules provide that when a “Judge to whom the action with the lower or lowest  
20 number has been assigned determines that assignment of the actions to a single Judge is likely to  
21 effect a savings of judicial effort or other economies, that Judge is authorized to enter an order  
22 reassigning all higher numbered related actions to himself or herself.” Local Rule 123(c). The  
23 above-entitled action appears to involve similar questions of fact and law as *Finder v. Leprino*,  
24 *Talavera v. Leprino*, and *Perez v. Leprino*. Assignment to the same judge is likely to effect a  
25 substantial savings of judicial effort. *See* Local Rule 123(a)(3). Because the undersigned is  
26 assigned the lowest numbered related case, the above-entitled case is hereby reassigned from the  
27 dockets of District Judge Dale A. Drozd and Magistrate Judge Sheila K. Oberto to the dockets of  
28 Senior District Judge Anthony Ishii and Magistrate Judge Barbara A. McAuliffe. The Clerk of

1 the Court is also respectfully directed to relate this action to *Finder v. Leprino*, Case No. 1:13-  
2 cv-02059-AWI-BAM.

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4 IT IS SO ORDERED.

5 Dated: June 14, 2017

  
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6 SENIOR DISTRICT JUDGE

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