

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JASON CAMPBELL and SARAH  
SOBEK, individually, and on behalf of all  
other similarly situated current and former  
employees of PricewaterhouseCoopers,  
LLP,

Plaintiffs,

v.

PRICEWATERHOUSECOOPERS, LLP, a  
Limited Liability Partnership,

Defendant.

No. 06-CV-02376-TLN-AC

**ORDER**

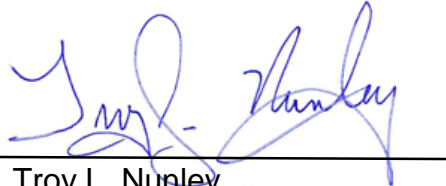
The Court is in receipt of Defendant PricewaterhouseCoopers LLP's ("PwC") motion to modify the scheduling order to permit PwC to file a motion to decertify the class before trial. (ECF No. 637.) This Court has already ruled on this issue. (*See* Judge Karlton's Order, ECF No. 557.) Furthermore, to the extent that PwC argues that the Ninth Circuit's decision in *Brady v. Deloitte & Touche*, No. 12-16384, 2014 WL 5033214 (9th Cir. Oct. 9, 2014), requires decertification of the class at issue, this Court does not agree.

In *Brady*, the Ninth Circuit reviewed the district court's decision to decertify the class for an abuse of discretion. In doing so, the panel stated "[w]e limit our review to whether the district court correctly selected and applied Rule 23's criteria. An abuse of discretion occurs when the district court relies upon an improper factor, omits consideration of a factor entitled to substantial

1 weight, or mulls the correct mix of factors but makes a clear error of judgment in assaying them.”  
2 *Id.* at \*1 (internal citations and quotations omitted). Accordingly, PwC’s motion to modify the  
3 scheduling order to permit PwC to file a motion to decertify the class before trial (ECF No. 637)  
4 is hereby DENIED.

5  
6 IT IS SO ORDERED.

7  
8 Dated: December 3, 2014

9  
10   
11 \_\_\_\_\_  
12 Troy L. Nunley  
13 United States District Judge  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28