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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DIANE ADOMA,

Plaintiff,

v.

THE UNIVERSITY OF PHOENIX,
INC., et al.,

Defendants.

NO. CIV. S-10-0059 LKK/GGH

O R D E R

_____/
Plaintiffs have timely noticed a motion for class certification under Fed. R. Civ. P. 23 for hearing on August 9, 2010--the same day on which the court will hear plaintiffs' motion for collective certification under the Fair Labor Standards Act. Defendants have filed an ex parte application to continue the hearing on the motion for class certification and thereby continue the deadline by which defendants must respond. (Dtk. No. 54). For the reasons stated in plaintiffs' opposition (Dkt. No. 55) the court DENIES the application.

Plaintiffs suggest that they would be willing to waive their

1 right to file a reply, and thereby provide defendants with an
2 additional week in which to oppose without postponing the hearing
3 date. While this arrangement may work for the parties, it would
4 not provide the court with sufficient time to review the papers in
5 advance of the hearing. The court nonetheless EXTENDS the time in
6 which defendants may oppose by two days: defendants' opposition may
7 be filed no later than 5 p.m. on Wednesday, July 28, 2010.
8 Plaintiffs may still file a reply no later than August 2, 2010.

9 IT IS SO ORDERED.

10 DATED: July 16, 2010.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT