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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA
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7 CHRISTINA CULLEY, an
8 individual, on behalf of
9 herself and on behalf of all
persons similarly situated,

10 Plaintiff,

11 v.

12 LINCARE INC., a corporation;
13 and ALPHA RESPIRATORY INC., a
corporation,

14 Defendants.*

No. 2:15-cv-00081-GEB-CMK

**STATUS (PRETRIAL SCHEDULING)
ORDER**

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16 The status (pretrial scheduling) conference scheduled
17 for hearing on April 20, 2015, is vacated since the parties'
18 Joint Status Report filed April 7, 2015 ("JSR") indicates the
19 following Order should issue.

20 DISMISSAL OF DOE DEFENDANTS

21 Since Plaintiff has not justified Doe defendants
22 remaining in this action, Does 1-50 are dismissed. See Order
23 Setting Status (Pretrial Scheduling) Conference filed January 13,
24 2015, at 2 n.2 (indicating that if justification for "Doe"
25 defendant allegations not provided Doe defendants would be
26 dismissed).

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* The caption has been amended according to the Dismissal of Doe Defendants portion of this Order.

1 MOTION FOR CLASS CERTIFICATION

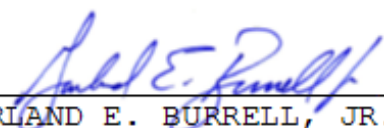
2 The parties state in the JSR that "[t]o date, [they]
3 are unable to reach an agreement regarding the deadline and
4 briefing schedule for [Plaintiff's] motion for class
5 certification." (JSR 4:22-23, ECF No. 10.) Each side has proposed
6 a different briefing schedule.

7 Federal Rule of Civil Procedure 23(c)(1) prescribes
8 "the court must determine by order whether to certify the action
9 as a class action" at "an early practicable time." Therefore the
10 following schedule issues: The motion for class certification
11 shall be filed no later than September 28, 2015; an opposition or
12 statement of non-opposition to the motion shall be filed no later
13 than November 2, 2015; and any reply shall be filed no later than
14 November 16, 2015. The hearing on the motion shall be noticed for
15 November 30, 2015, at 9:00 a.m.

16 SCHEDULING FURTHER STATUS REPORT

17 A further Status (Pretrial Scheduling) Conference is
18 scheduled to commence at 9:00 a.m. on January 19, 2016. A joint
19 status report shall be filed no later than fourteen (14) days
20 prior to the status conference.

21 Dated: April 14, 2015

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25 GARIAND E. BURRELL, JR.
26 Senior United States District Judge
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