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2
3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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6
7 ROSALETY BARNETT, et al.,

8 Plaintiffs,

9 v.

10 COUNTY OF CONTRA COSTA,
11 et al.,

12 Defendants.

NO. C04-4437 TEH

ORDER RE: BRIEFING AND
HEARING SCHEDULE ON
MOTIONS FOR CLASS
CERTIFICATION AND
SUMMARY JUDGMENT

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14 The Court is in receipt of the parties' stipulation and proposed order to extend the
15 briefing and hearing schedule and to consolidate hearing dates for Plaintiffs' motion for class
16 certification and Defendants' motion for summary judgment. Because Defendants seek
17 summary judgment against the sole proposed named plaintiff, the Court finds it inefficient to
18 consider both motions simultaneously. Instead, the Court will decide Defendants' motion for
19 summary judgment prior to considering Plaintiffs' motion for class certification.

20 Accordingly, IT IS HEREBY ORDERED that:

21 1. Plaintiffs' opposition to Defendants' motion for summary judgment shall be filed
22 on or before **August 31, 2009**.

23 2. Defendants' reply to the motion for summary judgment shall be filed on or before
24 **September 7, 2009**.

25 3. The hearing on the motion for summary judgment shall be held on **September 21,**
26 **2009, at 10:00 AM.**


27 4. The reply deadline and hearing date on Plaintiffs' motion for class certification
28 shall be vacated. If the proposed named plaintiff remains a viable putative class

1 representative following the Court's decision on Defendants' motion for summary judgment,
2 the Court will set new deadlines on Plaintiffs' motion for class certification at that time.

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IT IS SO ORDERED.

Dated: 08/06/09



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT