

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NEIL WEINSTEIN, et al.,

Nos. C 06-04444 SI; C 07-0538

Plaintiffs,

**ORDER RE: WEINSTEIN PLAINTIFFS’
MOTION TO CONTACT REEDER
PLAINTIFFS**

v.

METLIFE INC., et al.,

Defendants.

KIM REEDER, et al.,

Plaintiffs,

v.

METROPOLITAN LIFE INSURANCE
COMPANY,

Defendant.

The *Weinstein* plaintiffs have filed by letter brief a motion for Weinstein’s counsel, Betsy Manifold, to contact the *Reeder* plaintiffs, who are represented by the firm Scott Cole & Associates. [Case No. 06-04444, Docket No. 171] The *Weinstein* plaintiffs have submitted a letter¹ for the Court to review *in camera*. The letter updates the *Reeder* plaintiffs on developments in the *Weinstein* case, including information about a proposed settlement to resolve the *Weinstein* claims. Counsel for the *Reeder* plaintiffs were not able to review the proposed letter as it was filed under seal and not served on counsel. They object that the letter constitutes an inappropriate attempt to contact represented

¹ The letter was filed under seal as Exhibit A to the *Weinstein* plaintiffs’ letter brief.

1 parties. [Case No. 07-0538, Docket No. 86]

2 On July 6, 2007, the Court granted the *Weinstein* plaintiffs' motion for Weinstein's counsel to
3 contact the *Reeder* plaintiffs. *See* Order Granting in Part *Weinstein* Plaintiffs' Omnibus Motion. [Case
4 No. 07-0538, Docket No. 64] The Court found that the *Reeder* plaintiffs are still members of the Rule
5 23 putative class in *Weinstein*, despite their withdrawal from the *Weinstein* FLSA action. *See id.*

6 In keeping with the Court's July 6, 2007 Order, the Court finds that it is appropriate for counsel
7 for the *Weinstein* plaintiffs to contact the *Reeder* plaintiffs about the terms of a proposed settlement.
8 The Court finds, however, that counsel for the *Reeder* plaintiffs must be given an opportunity to review
9 the letter and discuss it with their clients, should they choose to do so. Accordingly, the Court orders
10 that counsel for the *Weinstein* plaintiffs provide the letter to Scott Cole & Associates by December 10,
11 2008, and that counsel for the *Weinstein* plaintiffs contact the *Reeder* plaintiffs through the proposed
12 letter no sooner than December 15, 2008.

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14 **IT IS SO ORDERED.**

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16 Dated: 12/9/08

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19 SUSAN ILLSTON
20 United States District Judge
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