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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JULIE CAMPANELLI, et al.,)	
)	
Plaintiff(s),)	No. C 08-1862 BZ
)	
v.)	ORDER RE EVIDENTIARY
)	OBJECTIONS FOR PLAINTIFFS'
THE HERSHEY COMPANY,)	PARTIAL SUMMARY JUDGMENT
)	MOTION ON EXEMPTIONS
Defendant(s).)	
)	
_____)	

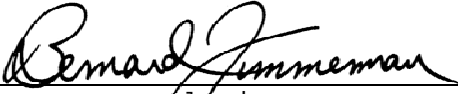
There are two evidentiary objections before the Court in connection with plaintiffs' motion for partial summary judgment (Docket No. 315) regarding the outside sales and administrative exemptions.

1. Defendant has objected to plaintiffs submitting exhibits in their reply that they did not submit in their moving papers. Docket No. 372. The Court overrules this objection with respect to exhibits that were not available at the time plaintiffs filed their motion. Defendant had an opportunity to bring to the Court's attention any favorable testimony from these witnesses when it filed its request to take additional opt-in depositions (Docket No. 370) which the

1 Court has read. Because the Court does not rely on
2 plaintiffs' other reply exhibits, defendant's objection is
3 overruled as moot.

4 2. In its reply, plaintiffs have objected to defendant's
5 use of declarations from RSRs that the Court previously
6 struck. See Docket No. 107. The objection is overruled to
7 the limited extent that the Court relied on such declarations.
8 See footnote 8 of the Order Granting Plaintiffs' Motion for
9 Partial Summary Judgment.

10 Dated: February 23, 2011

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12 _____
13 Bernard Zimmerman
14 United States Magistrate Judge

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