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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Miguel Castaneda,  
Plaintiff,  
v.  
Burger King Corporation, et al.,  
Defendants.

No. C 08-4262 WHA (JL)

**AMENDED ORDER Re Briefing  
Schedule (Dkt. # 106, 110) on Parties'  
Joint Statement at Docket # 103**

The Court in entering its Briefing Order at Docket # 110, in response to Plaintiffs' ex parte application at Docket # 106, was under the mistaken impression that the parties had agreed on a briefing schedule. The Court had not yet received Defendants' opposition to Plaintiffs' proposed briefing schedule. The Court has now reviewed Defendants' opposition and the letters submitted by both sides. The Court finds Defendants' arguments to be well-taken. The issues in the parties' Joint Statement at Docket # 103, to which the briefing schedule applies, are too numerous and complex to permit briefing on less than the full schedule. In addition, even Plaintiffs' proposed hearing date would fall after their deadline for filing their class certification motion so their argument that the discovery requested is necessary for this motion is not supported by the facts.

Accordingly, the hearing date on the Joint Statement at Docket # 103, Plaintiffs' Motion to Compel Survey and Remediation Information, and Defendant's Motion to Compel

**United States District Court**  
For the Northern District of California

1 Return of Inadvertently Produced Privilege Documents and for Protective Order, is hereby  
2 continued to August 19, 2009, at 9:30 a.m., to be briefed on the normal briefing schedule:

3 The parties' respective opening briefs will be due on July 15, 2009 (35  
4 days before the August 19, 2009 hearing date);

5 The parties' respective opposition briefs will be due on July 29, 2009 (21  
6 days before the August 19, 2009 hearing date); and

7 The parties' respective reply briefs will be due on August 5, 2009 (14  
8 days before the August 19, 2009 hearing date).

9 IT IS SO ORDERED.

10 DATED: July 8, 2009

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14 JAMES LARSON  
15 U.S. Magistrate Judge

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