

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIAOBELIA D. VILLAFIOR, and KAY B. BRICE,
individually and on behalf of all similarly
situated individuals,

Plaintiffs,

v.

EQUIFAX INFORMATION SERVICES LLC,
Defendant.

No. C-09-0329 MMC

**ORDER DENYING DEFENDANT'S
MOTION TO APPEAR
TELEPHONICALLY AT HEARING ON
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF
PROPOSED CLASS ACTION
SETTLEMENT**

Before the Court is defendant's "Motion to Appear Telephonically for Plaintiffs' Notice of Motion and Motion for Preliminary Approval of Proposed Class Action Settlement," filed by defendant on November 29, 2010.

The Court does not conduct telephonic hearings on motions. Further, in this instance the Court has a number of questions regarding the nature of the proposed recovery by the class, as well as potential revisions to the proposed notice and schedule, including the applicability of In re Mercury Interactive Corp. Sec. Litig., 618 F.3d 988 (9th Cir. 2010).

Accordingly, the motion is hereby DENIED, and all parties shall have at least one counsel of record appear in person at the December 10, 2010 hearing, such counsel being

1 prepared to address all matters relevant to the substance of the settlement and the notice
2 and schedule pertaining thereto.

3 **IT IS SO ORDERED.**

4
5 Dated: December 6, 2010

6 
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
MAXINE M. CHESNEY
United States District Judge