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

LIN-CHI WANG, an individual, on behalf  
of herself and all others similarly situated,

Plaintiff,

v.

WELLS FARGO BANK, NATIONAL  
ASSOCIATION, a national association;  
WELLS FARGO & COMPANY, a  
Delaware corporation; and Does 1 through  
50, inclusive,

Defendants.

No. C 09-03074 WHA

**ORDER POSTPONING  
HEARING AND  
REQUESTING SUBMISSIONS  
FROM THE PARTIES**

In this action for unpaid wages, plaintiff Lin-Chi Wang has moved for conditional certification of a collective action and court-approval of notice to potential class members. Defendants Wells Fargo Bank, N.A., and Wells Fargo & Company have moved to dismiss the first amended complaint, or, in the alternative, for judgment on the pleadings.

The hearing regarding the motion for conditional certification currently scheduled for October 29, 2009, at 2:00 p.m., is hereby **POSTPONED** until **NOVEMBER 5, 2009, AT 8:00 A.M.**

The parties are also requested to submit one five-page submission each (one for plaintiff, one for defendants) on the following issue: If the ERISA claim is dismissed, would this Court retain federal subject-matter jurisdiction over the case in light of *Morongo Band of Mission*

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*Indians v. California State Board of Equalization*, 858 F.2d 1376 (9th Cir. 1988)? These submissions are due by **FRIDAY, OCTOBER 30, 2009, AT NOON.**

**IT IS SO ORDERED.**

Dated: October 27, 2009.



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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE