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

JORGE R. QUEZADA,
Plaintiff,

No. C 09-03670 JSW

v.

CON-WAY FREIGHT, INC.,
Defendant.

**ORDER REGARDING
PLAINTIFF’S ADMINISTRATIVE
MOTION TO WITHDRAW AND
MOTION TO SHORTEN TIME**

Now before the Court is the administrative motion to allow Westrup Klick, LLP to withdraw as counsel for Plaintiff and to substitute in Marlin & Saltzman, LLP. Plaintiff has also filed a noticed motion to permit Westrup Klick, LLP to withdraw as co-co counsel for the class and to appoint Marlin & Saltzman, LLP as co-class counsel. Plaintiff noticed this motion for a hearing date that had already been closed, December 6, 2013.¹ Plaintiff filed an administrative motion to have the motion to withdraw for the class heard on shortened time.

The Court HEREBY DENIES the administrative motion to withdraw and substitute in new counsel. Because Plaintiff is the sole class representative, it is not clear that he can have counsel that is different from class counsel. The Court will adjudicate the requested withdrawal and appointment of new counsel for Plaintiff pursuant to the noticed motion to change counsel for the class.

The Court HEREBY GRANTS Plaintiff’s motion to have the noticed motion heard on shortened time. Defendant Con-Way Freight, Inc. (“Con-Way”) shall file its opposition or

¹ If the Court appoints Marlin & Saltzman, LLP as co-counsel for the class, Marlin & Saltzman, LLP shall review and become familiar with the Court’s standing orders, the Court’s calendar, and the Local Rules for the Northern District of California.

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statement of non-opposition by no later than 3:00 p.m. on November 8, 2013. Plaintiff shall file his reply, if any, by no later than 1:00 p.m. on November 12, 2013. The Court will set a hearing date if necessary.

IT IS SO ORDERED.

Dated: November 5, 2013



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE