

United States District Court  
For the Northern District of California

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

TIMOTHY DUFOUR, et al.,

No. CV 09-3770 CRB

Plaintiffs,

**ORDER CLARIFYING CLASS  
CERTIFICATION ORDER**

v.

BE LLC et al.,

Defendants.

Defendant has requested that this Court clarify which specific claims asserted in Plaintiffs' Second Amended Complaint (dkt. 128) were certified for class treatment in this Court's previous Order Granting in Part and Denying in Part Plaintiffs' Motion to Certify a Class (dkt. 217). For the reasons stated in that order, Plaintiffs' Ninth, Tenth, and Thirteenth Causes of Action were certified under Rule 23. Defendant also requests "clarification" regarding which claims were dismissed; on that issue, the Order speaks for itself.

**IT IS SO ORDERED.**

Dated: July 30, 2013

  
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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE