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

MATTHEW OZGA,

Plaintiff,

v.

U.S. REMODELERS, INC.,

Defendants.

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No. C 09-05112 JSW

**NOTICE OF TENTATIVE  
RULING AND QUESTIONS FOR  
HEARING**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE TAKE  
NOTICE OF THE FOLLOWING QUESTIONS FOR THE HEARING SCHEDULED ON  
MARCH 5, 2010 AT 9:00 A.M.:

The Court has reviewed the parties' memoranda of points and authorities and, thus, does not wish to hear the parties reargue matters addressed in those pleadings. If the parties intend to rely on legal authorities not cited in their briefs, they are ORDERED to notify the Court and opposing counsel of these authorities reasonably in advance of the hearing and to make copies available at the hearing. If the parties submit such additional authorities, they are ORDERED to submit the citations to the authorities only, with pin cites and without argument or additional briefing. *Cf.* N.D. Civil Local Rule 7-3(d). The parties will be given the opportunity at oral argument to explain their reliance on such authority. The Court also suggests that associates or of counsel attorneys who are working on this case be permitted to address some or all of the Court's questions contained herein.

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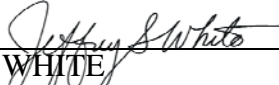
The Court **tentatively grants** the motion for preliminary approval, subject to the reservations expressed in question 2. The parties each shall have five (5) minutes to address the following questions:

1. Will Plaintiff be prepared to submit declarations from Mr. Ozga and Mr. Moshkovich in support of the request for enhancement payments, when the motion for final approval and motion for attorneys' fees are filed?
2. Are the parties' amenable to modifying the proposed notice to clarify that the amount of the enhancement awards, if any, is subject to approval by the Court?

If the parties' answer to both of these questions is yes, they may advise the Court of that fact in writing in advance of the March 5, 2010 hearing date and they shall submit a modified version of the notice to the Court for its consideration. If the Court is satisfied with the modified notice, the motion shall be resolved on the papers.

**IT IS SO ORDERED.**

Dated: February 24, 2010

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE