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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MAXIMA C. RODRIGUEZ, ET AL.,

No. C-10-01377 JCS

Plaintiffs,

v.

**ORDER DENYING REQUEST FOR  
CLARIFICATION [Docket No. 69]**

SERVICE EMPLOYEES INTERNATIONAL,  
ET AL.,

Defendants.

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**United States District Court**  
For the Northern District of California

Defendant has filed a Request for Clarification of Order Granting in Part and Denying in Part Defendant’s Motion to Dismiss First Amended Complaint (“Request”). In the Request, Defendant asks the Court to order Plaintiffs to file a second amended complaint consistent with the Court’s November 23, 2010 Order. The Request is DENIED.

On November 23, 2010, the Court issued a lengthy order addressing the sufficiency of Plaintiffs’ First Amended Complaint. Rather than ordering Plaintiffs to submit a second amended complaint, the Court addressed whether *each* of Plaintiffs’ factual allegations was sufficient to support a claim and dismissed Plaintiffs’ claims as to the conduct that it found did not support a claim. Having carefully set forth the factual allegations in Plaintiffs’ First Amended Complaint that are sufficient to state a claim (as well as those that are not), the Court concludes that Defendant has adequate notice of the alleged conduct that supports Plaintiffs’ claims, to the extent that they have

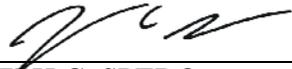
1 survived Defendant's motion to dismiss. Accordingly, the Court declines to require that Plaintiffs  
2 file a second amended complaint.

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4 Dated: January 3, 2011

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JOSEPH C. SPERO  
United States Magistrate Judge

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