

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

FATEMEH KHALILI,	)	Case No. 11-759 SC
	)	
Plaintiff,	)	ORDER SETTING STATUS
	)	<u>CONFERENCE</u>
v.	)	
	)	
COMERICA BANK, et al.,	)	
	)	
Defendants.	)	
	)	
	)	
	)	
	)	

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On September 23, 2011 Defendants Comerica Bank and Comerica Management Company (collectively, "Defendants") and Plaintiff Fatemeh Kalili ("Plaintiff") attended a status conference at which the Court requested that, within 30 days, the parties submit simultaneous statements as to whether this case should proceed to arbitration. ECF No. 20. Defendants have stated that they are agreeable to waiving arbitration and litigating the above captioned matter before this Court. ECF No. 21. Defendants have also withdrawn their affirmative defenses relating to arbitration. Id. Plaintiff has stated that Defendants have refused to provide requested information concerning how many of the putative class members in this case have signed agreements to arbitrate claims arising out of their employment with Defendants. ECF No. 22.

1 Plaintiff contends that, without this information, he cannot  
2 responsibly assess whether this case should proceed as a class  
3 action before this Court or proceed to arbitration. Id.

4 As the parties have yet to provide a clear indication as to  
5 whether this matter will proceed to arbitration, the Court hereby  
6 sets a status conference for **February 10, 2012 at 10:00 A.M.**  
7 Parties are to file a joint statement seven days prior to the  
8 conference to update the Court on any developments on arbitration  
9 proceedings in this matter.

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11 IT IS SO ORDERED.

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13 Dated: November 7, 2011

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UNITED STATES DISTRICT JUDGE

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