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

TETSUO AKAOSUGI, HIEU NGUYEN, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

BENIHANA NATIONAL CORPORATION,

Defendant.

No. C 11-01272 WHA

**ORDER DENYING DEFENDANT'S
ADMINISTRATIVE MOTION TO
ENLARGE BRIEFING SCHEDULE
AND TO ALLOW 35-PAGE BRIEFS**

Defendant Benihana National Corporation has filed an administrative motion seeking to enlarge the briefing schedule and to exceed the page limit set by the Civil Local Rules for the opening and opposition briefs. Plaintiffs Tetsuo Akaosugi and Hieu Nguyen oppose.

Defendant seeks to enlarge the briefing schedule to allow: (1) the prompt deposition of any experts disclosed in the moving or opposing papers as well as (2) the deposition of declarants offered in support of or in opposition to the class certification motion. Having reviewed the submissions, good cause is not shown to enlarge the briefing schedule at this time. Therefore, the request to enlarge the briefing schedule is **DENIED**. This denial is without prejudice to making a new motion to extend the briefing schedule in the event that the motion for class certification is sufficiently complex and fact intensive that it requires more time to respond.

Defendant also seeks to exceed the page limit set by the Civil Local Rules to permit each side an additional ten pages for the opening and response briefs. Defendant states such an enlargement of the page limits is warranted because of the “complexity of the issues, and the fact

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that Plaintiffs seek to certify not one, but two, entirely separate classes in one motion” (Dkt. No. 57 at 6). Good cause is not shown to permit the parties to exceed the page limits established by the Civil Local Rules. This request is **DENIED**.

IT IS SO ORDERED.



Dated: December 30, 2011.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE