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

KEVIN MCCONNELL, on behalf of
himself and all others similarly situated,
and in the general public,

Plaintiff,

v.

RED ROBIN INTERNATIONAL, INC, a
Colorado Corporation,

Defendant.

No. C 11-03026 WHA

**ORDER REGARDING BRIEFING
ON MOTIONS TO DISQUALIFY
AND RESCHEDULING HEARING**

Defendant was ordered to file a motion to determine the adequacy of plaintiff Kevin McConnell as a class representative by March 15, or turn over the discovery that was the subject of plaintiff’s discovery dispute letter filed February 16, 2012. On March 15, defendant filed a motion to disqualify plaintiff as class representative and set it for hearing on April 19. Plaintiff filed his opposition on March 29. On April 2, defendant filed a supplemental motion to disqualify plaintiff as class representative and for monetary sanctions against plaintiff and Michael Hoffman, plaintiff’s counsel, in the amount of \$15,985. The supplemental motion is set for hearing on May 10, 2012.

The supplemental motion puts forward new facts uncovered by defendant that go to the adequacy of plaintiff to serve as a class representative. The motion also raises new issues going to the adequacy of plaintiff’s counsel to serve as class counsel. Both motions will be resolved at

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the same hearing. Thus, the hearing on the first-filed motion to disqualify will be continued to
MAY 10, 2012 AT 8:00 A.M.

IT IS SO ORDERED.



Dated: April 5, 2012.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE