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****E-filed 9/12/11****

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UELIAN DE ABADIA-PEIXOTO, et al.,

No. C 11-4001 RS

Plaintiffs,

v.

ORDER RE SCHEDULING

U.S. DEPARTMENT OF HOMELAND
SECURITY, et al.,

Defendants.

_____/

Prior to the reassignment of this matter, defendants filed a motion seeking to continue plaintiff's motion for class certification, and their obligation to file an opposition thereto, until after they have answered, or until any motion to dismiss has been decided, whichever later occurs. Upon reassignment, the hearing date on the motion for class certification was vacated, and plaintiffs are obligated to re-notice the motion, but the briefing schedule arguably remains unchanged, by virtue of Civil Local Rule 7. Plaintiffs have adequately shown that the particular circumstances of this case warrant hearing the class certification motion as early as practicable, whether or not a motion to dismiss is pending. Accordingly, the parties are hereby ordered to engage in further meet and confer negotiations to attempt to agree on a briefing schedule for both the motion for class certification and for any motion to dismiss, with a joint hearing to be held no later than November 17, 2011. If the

1 parties are unable to reach agreement, plaintiffs may renounce their class certification motion for any
2 available Thursday in November of 2011, and the briefing schedule will be calculated from the date
3 of the re-notice.

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Dated: 9/12/11



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE