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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6 STEPHEN BUSHANSKY,
7 Plaintiff,

8 v.

9 SAMUEL ARMACOST, et al.,
10 Defendants.
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Case No. 12-cv-01597-JST

**ORDER AMENDING ORDER FOR
SUPPLEMENTAL BRIEFING RE:
RULE 23.1(C) NOTICE**

12 On February 14, 2014, the Court issued its Order for Supplemental Briefing re: Rule
13 23.1(c) Notice, ECF No. 37, requiring Plaintiff to file a supplemental brief in connection with his
14 notice of voluntary dismissal, ECF No. 36. The Court is in receipt of Defendants' letter to the
15 Court, filed February 18, 2014, ECF No. 38, requesting an opportunity to be heard, and Plaintiff's
16 letter, filed February 19, 2014, ECF No. 39, responding to Defendants' letter. Good cause
17 appearing, the Court now amends its February 14, 2014 Order as follows:

18 1. Plaintiff shall file a supplemental brief regarding Plaintiff's request for dismissal by
19 March 24, 2014. Plaintiff shall also address the form of notice the Court should order Plaintiff to
20 provide, should the Court conclude that notice is required.

21 2. Defendants may file a brief not later than March 24, 2104, addressing only two
22 questions: first, under what authority do Defendants contend the Court may deny Plaintiff's
23 request for dismissal or appoint another plaintiff; and second, if the Court grants dismissal, is Rule
24 23.1(c) notice required, and, if it is, in what form? The Court will not entertain briefing on the
25 merits of Defendants' pending motion to certify a question of state law to the Delaware Supreme

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Court, which shall remain stayed until further Order of the Court.

3. The parties' briefs shall not exceed fifteen pages in length.

IT IS SO ORDERED.

Dated: February 20, 2014



JON S. TIGAR
United States District Judge