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

REVINSON ALIM, et al.,
Plaintiffs,

No. C 12-02133 WHA

v.

ORDER RE MOTION TO AMEND

AIRCRAFT SERVICE
INTERNATIONAL GROUP, INC., BBA
AVIATION,

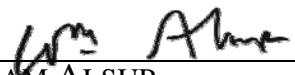
Defendants.

In this meal-and-rest-break action, a prior order allowed supplemental briefing and discovery on the issue of federal preemption by the Airline Deregulation Act. This supplemental briefing is due on November 16 (Dkt. No. 41). Now, plaintiffs seek to amend their complaint to add two additional state-law claims arising under the same facts as the current complaint. In opposition, defendants argue that the preemption issue should first be resolved but offer no other objections.

If the issue of federal preemption is decided in defendants' favor, then allowing plaintiffs to add more state-law claims would likely be futile. Therefore, plaintiffs' motion to amend will be held in abeyance until the issue of preemption is decided. The motion hearing scheduled for November 8 is **VACATED**.

IT IS SO ORDERED.

Dated: October 24, 2012.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE