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

JACK DAVIS, individually and on behalf
of all others similarly situated,

No. C 14-00766 WHA

Plaintiff,

v.

**ORDER REQUESTING
SUPPLEMENTAL BRIEFING**

APPERIENCE CORPORATION and
BLUESPRIG, INC.,

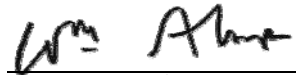
Defendants.

In preparation for next week's hearing on the motion to dismiss (Dkt. No. 45), each side is requested to please file a supplemental brief of **NO MORE THAN FIVE PAGES**, addressing the following two issues. Each side will file its supplemental brief by no later than **5 PM ON OCTOBER 24, 2014**. There will be no replies to those supplemental briefs.

1. Regarding the breach of contract alleged under Claim Three, please address whether the notice requirement described in *Alvarez v. Chevron Corporation*, 656 F.3d 925, 932 (9th Cir. 2011), applies to this action.
2. In the same context, please address the applicability of the notice requirement under Section 2607(3)(A) of the California Commercial Code for this action.

IT IS SO ORDERED.

Dated: October 22, 2014.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE