

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANA GOLD, et al.,
Plaintiffs,
v.
LUMBER LIQUIDATORS, INC.,
Defendant.

Case No. 14-cv-05373-TEH

**ORDER GRANTING IN PART AND
DENYING IN PART PARTIES'
JOINT STIPULATION ON
SCHEDULING**

Currently before the Court is the parties' Joint Stipulation for an Order Granting the Parties Request to Extend the Hearing on Plaintiffs' Motion for Class Certification and Defendant's Daubert Motion and Advancing the Hearing on Plaintiffs' Motion for Leave to Amend. ECF No. 158. After carefully considering the parties' joint stipulation, the Court GRANTS IN PART and DENIES IN PART the joint stipulation.

The Court GRANTS the parties' request to VACATE the hearing currently scheduled for June 5, 2017 on Plaintiffs' motion for class certification and Defendant's Daubert Motion. The Court also GRANTS the parties' agreement to allow Defendant to file an opposition to Plaintiffs' motion for leave to amend no later than **June 6, 2017**, while Plaintiffs forgo filing a reply. Consequently, Plaintiffs' Motion to Shorten Time for Consideration of Plaintiffs' Motion for Leave to Amend Class Action Complaint (ECF No. 156) is moot.

The Court DENIES the parties' request to schedule a hearing on Plaintiffs' Motion for Leave to Amend on June 12, 2017 as the Court is unable to accommodate the hearing on this date. Instead, the Court shall hear oral arguments on this sole motion on **June 19, 2017, at 10:00 AM**. Because the resolution of Plaintiffs' motion for leave to amend their complaint may fundamentally affect Plaintiffs' motion for class certification and/or

United States District Court
Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Defendant's motion to exclude Plaintiffs' experts, the Court shall not hear oral arguments on these two motions on June 19, 2017. Rather, the parties shall be prepared to discuss the rescheduling of the hearing on these two motions at the June 19, 2017 hearing.

IT IS SO ORDERED.

Dated: 5/25/2017



THELTON E. HENDERSON
United States District Judge