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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PAULA DONALD,  
Plaintiff,  
v.  
XANITOS, INC.,  
Defendant.

Case No. 14-cv-05416-WHO

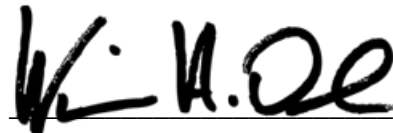
**ORDER REQUESTING  
SUPPLEMENTAL BRIEFING  
REGARDING PLAINTIFF'S MOTION  
FOR LEAVE TO AMEND**

Re: Dkt. No. 22

This order concerns plaintiff Paula Donald's motion for leave to amend, currently set for hearing on April 15, 2015. Dkt. No. 22. In her reply in support of the motion, Donald asserts that even if diversity jurisdiction is eliminated, subject matter jurisdiction "may" still exist under the Class Action Fairness Act ("CAFA"). Dkt. No. 27 at 8-9. Because this issue was not raised until Donald's reply, defendant Xanitos, Inc. has not had an opportunity to address it. Accordingly, by April 8, 2015, the parties shall file supplemental briefs, not to exceed five pages each, addressing whether this Court would have subject matter jurisdiction over this matter pursuant to CAFA if there is no diversity jurisdiction. The hearing on Donald's motion for leave to amend remains set for April 15, 2015.

**IT IS SO ORDERED.**

Dated: April 1, 2015



WILLIAM H. ORRICK  
United States District Judge