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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ABERE NEWETT, et al.,  
Plaintiffs,  
v.  
LEAPFROG ENTERPRISES, INC., et al.,  
Defendants.

Case No. 15-cv-00347-EMC


**ORDER RE JOINT LETTER OF  
SEPTEMBER 13, 2017**

Docket No. 145

The Court shall not rule on the dispute regarding bifurcation of discovery at this juncture. The parties shall address this issue in their joint CMC statement due on September 21, 2017 (*i.e.*, one week in advance of the September 28 CMC). The parties are advised that the Court generally disfavors bifurcation, and that Defendants shall bear the burden of showing that bifurcation is warranted. Defendants are further advised that any claim that merits discovery in advance of class certification would be unduly disproportionate or burdensome must be supported by specific facts and/or a declaration.

**IT IS SO ORDERED.**

Dated: September 14, 2017

  
EDWARD M. CHEN  
United States District Judge