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

TERESA CLEMENS, JORDEN
SIMENSEN, and ADRIA DESPRES,
individuals, for themselves and all
members of the putative class and on behalf
of aggrieved employees pursuant to the
Private Attorneys General Act (“PAGA”),

No. C 15-01431 WHA

Plaintiffs,

v.

HAIR CLUB FOR MEN, LLC, a Delaware
corporation, and DOES 1 through 100,
inclusive,

**ORDER DENYING PLAINTIFFS’
MOTION TO APPOINT ADRIA
DESPRES AS ADDITIONAL
CLASS REPRESENTATIVE**

Defendants.

In their class certification motion, plaintiffs sought to have Teresa Clemens, Jordan Simensen, and Adria Despres appointed as class representatives. The time period covered by the certified class began on March 27, 2014, one year before plaintiffs commenced this action, although plaintiffs sought to certify a class dating back four years before the complaint.

In her declaration submitted in support of the motion for class certification, Despres stated that her employment ended on May 31, 2013. Accordingly, because it appeared she did not work for Hair Club during the certified class period (and thus lacked claims typical of the class), she was not appointed as a class representative.

Plaintiffs now seek to have Adria Despres appointed as an additional class representative, noting that her declaration inaccurately stated the end date of her employment

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due to counsel’s error. Despres has submitted a new declaration averring that she was employed by Hair Club until April 13, 2015.

Despres’s failure to recognize this error in her own declaration casts doubt on her adequacy as a class representative. Moreover, plaintiffs offer no explanation of their need for an additional class representative, and the class was certified although she could not serve as a representative. Accordingly, there is no good cause to modify the order certifying the class to appoint Despres as an additional class representative. Plaintiffs’ motion is **DENIED**.

IT IS SO ORDERED.

Dated: April 28, 2016.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE