

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IRAM BAKHTIAR,
Plaintiff,
v.
INFORMATION RESOURCES, INC.,
Defendant.

Case No. 17-cv-04559-JST

**ORDER AMENDING DEADLINES
FOR MOTION FOR CLASS
CERTIFICATION**

Re: ECF No. 101

The parties have filed a joint stipulation to continue the deadlines for Plaintiff’s motion for class certification and Defendant’s motion to decertify the conditional Fair Labor Standards Act (“FLSA”) collective, as well as competing proposals for the briefing schedule on those motions. ECF No. 101.

The Court will adopt the parties’ stipulated deadline for Plaintiff to file a motion for class certification. The Court will further adopt Plaintiff’s proposed briefing schedule on that motion. Bearing in mind, however, that the standard for FLSA decertification “is different, and easier to satisfy, than the requirements for a class action certified under Federal Rule of Civil Procedure 23(b)(3),” *Heath v. Google Inc.*, 215 F. Supp. 3d 844, 852 (N.D. Cal. 2016), the Court anticipates that the resolution of Plaintiff’s motion will clarify the issues pertinent to FLSA decertification and perhaps even remove some issues from dispute. The Court will therefore entertain Defendant’s FLSA decertification motion only after it decides Plaintiff’s motion for class certification.

Accordingly, the Court sets the following deadlines for Plaintiff’s motion:

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

Event	Deadline
Plaintiff's motion for class certification due	May 31, 2019
Defendant's opposition due	July 2, 2019
Plaintiff's reply due	July 16, 2019
Hearing on motion	August 7, 2019 or any date thereafter

After the Court decides the motion for class certification, Defendant may file a motion for FLSA decertification.

IT IS SO ORDERED.

Dated: January 23, 2019



JON S. TIGAR
United States District Judge