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3 UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
5 OAKLAND DIVISION

6 RONALD KRZYZANOWSKI AND ILEANA  
7 KRZYZANOWSKI, on behalf of themselves and  
8 all others similarly situated,

9 Plaintiffs,

10 vs.

11 ORKIN EXTERMINATING COMPANY, INC.;  
12 ROLLINS, INC.,

13 Defendants.

Case No: C 07-05362 SBA

**ORDER DENYING (1) PLAINTIFF'S  
ADMINSTRATIVE MOTION TO  
EXCEED PAGE LIMITATIONS ON  
THEIR MOTION FOR CLASS  
CERTIFICATION AND  
(2) DEFENDANTS' EX PARTE  
APPLICATION FOR AN EXPEDITED  
BRIEFING SCHEDULE**

[Docket 185, 192]

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15 Plaintiffs filed the instant putative class action on October 19, 2007. In the Court's  
16 Order for Pretrial Preparation (Docket 138), the Court set the law and motion cut off for  
17 December 1, 2009. The Order expressly states: "The parties are advised *not* to wait until 35  
18 days prior to the law and motion cut-off date to file and serve their motion. As the Court's law  
19 and motion calendar tends to fill quickly, there is no guarantee that a hearing date within the  
20 law and motion cut-off date will be available." (Docket 138 at 2 (emphasis in original).) Trial  
21 is set to commence on February 8, 2010.

22 On November 11, 2009, Plaintiffs filed a Motion to Exceed Page Limitations for Their  
23 Motions Relating to Class Certification. Plaintiffs have not demonstrated good cause for filing  
24 a brief in excess of 25 pages. In addition, the Court notes that at this late stage of the litigation,  
25 Plaintiffs will not be able to have their anticipated motion heard prior to the law and motion  
26 cut-off date of December 1, 2009. See Civ. L.R. 7-2 (requiring 35 days notice for motions).  
27 Therefore, Plaintiffs' motion (Docket 185) is DENIED.  
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On November 16, 2009, Defendants filed an Ex Parte Application for an Order Setting an Expedited Briefing and Hearing Schedule for Defendants’ Motion to Strike Class Allegations. Defendants contend that the Court should consider their motion to strike before it adjudicates Plaintiffs’ anticipated motion for class certification. However, Defendants did not certify that they met and conferred with opposing counsel prior filing their ex parte application, as required by the Court’s Standing Orders. In addition, Defendants’ request is premature given that Plaintiffs have not yet filed a motion for class certification. Accordingly, Defendants’ ex parte application (Docket 192) is DENIED.

IT IS SO ORDERED.

Dated: November 17, 2009

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge