

United States District Court
For the Northern District of California

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

THERESA HERRINGTON, ANNA HALEY, JOY SARJENT, KIMBERLY FOURNIER and CINDY KING, individually and on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

JOHNSON & JOHNSON CONSUMER COMPANIES, INC.; L'OREAL USA, INC.; KIMBERLY-CLARK CORPORATION; CVS/CAREMARK CORPORATION; and TARGET CORPORATION,

Defendants.

No. C 09-1597 CW

ORDER GRANTING IN PART DEFENDANTS' MOTION FOR LEAVE TO FILE MOTION TO DISMISS IN EXCESS OF 25 PAGES AND TO MODIFY BRIEFING SCHEDULE (Docket No. 126)

Defendants have filed a joint motion requesting leave to file a consolidated, omnibus brief which will not exceed thirty-five pages in length. In addition, each individual Defendant seeks leave to file an appendix, not to exceed five pages in length, to discuss Defendant-specific issues. Defendants assert that expanded briefing is required to address Plaintiffs' eleven causes of action against five separate Defendants who are alleged to have marketed

1 different products. Defendants state that Plaintiffs do not oppose
2 their motion.

3 Having considered Defendants' papers, the Court GRANTS their
4 request in part. Defendants may file a consolidated, omnibus brief
5 in support of their Motion to Dismiss that does not exceed twenty-
6 five pages in length. If necessary, each individual Defendant may
7 file an appendix, which addresses non-repetitively Defendant-
8 specific issues, that does not exceed three pages in length. In
9 turn, Plaintiffs may file a consolidated, omnibus opposition brief
10 that does not exceed forty pages in length.

11 Defendants' opening brief and related appendices shall be due
12 February 5, 2010. Plaintiffs' opposition shall be due March 8,
13 2010, and any reply shall be due March 22, 2010. Defendants'
14 Motion shall be taken under submission on the papers.

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16 IT IS SO ORDERED.

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18 Dated: January 29, 2010



19 CLAUDIA WILKEN
20 United States District Judge