

United States District Court
Northern District of California

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ALEJANDRO JUAREZ, ET AL.,
Plaintiffs,
vs.
JANI-KING OF CALIFORNIA, INC., ET AL.,
Defendants.

CASE NO. 09-cv-03495-YGR


ORDER VACATING STAY OF CASE

On September 24, 2019, the Ninth Circuit entered an order in *Vazquez v. Jan-Pro Franchising Int’l, Inc.*, Case No. 17-16096, Dkt. No. 117, certifying to the California Supreme Court the question of whether *Dynamex Operations West Inc. v. Superior Court*, 416 P.3d 1 (Cal. 2018) applies retroactively. On November 20, 2019, the California Supreme Court granted the Ninth Circuit’s request for certification. *Vazquez v. Jan-Pro Franchising Int’l, Inc.*, Case No. S258191. On January 14, 2021, the California Supreme Court issued a unanimous decision confirming that its “decision in *Dynamex* applies retroactively to all nonfinal cases that predate the effective date of the *Dynamex* decision.”

In light of these new developments, the Court vacates the **STAY** this action. Parties shall meet and confer and file a joint statement regarding the impact of the California Supreme Court’s decision on this action, including whether the parties require a case management conference. A compliance hearing shall be held on the Court’s **9:01 a.m.** calendar on **Friday, February 12, 2021** via the Zoom platform. Five (5) business days prior to the date of the compliance hearing, the parties shall file the joint statement. If compliance is complete, the parties need not appear, and the compliance hearing will be taken off calendar.

IT IS SO ORDERED.

Dated: January 15, 2021


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE