

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

RAINBOW BUSINESS SOLUTIONS, doing business as PRECISION TUNE AUTO CARE; DIETZ TOWING, INC.; THE ROSE DRESS, INC.; VOLKER VON GLASENAPP; JERRY SU; VERENA BAUMGARTNER; TERRY JORDAN; ERIN CAMPBELL; and LEWIS BAE,

ORDER VACATING
HEARING ON
PLAINTIFFS' MOTION
FOR CLASS
CERTIFICATION

Plaintiffs,

V.

MERCHANT SERVICES, INC.; NATIONAL PAYMENT PROCESSING; UNIVERSAL MERCHANT SERVICES LLC; UNIVERSAL CARD, INC.; JASON MOORE; NATHAN JURCZYK; ROBERT PARISI; ERIC MADURA; FIONA WALSH; ALICYN ROY; MBF LEASING LLC; NORTHERN FUNDING, LLC; NORTHERN LEASING SYSTEMS, INC.; JAY COHEN; LEONARD MEZEI; SARA KRIEGER; SAM BUONO; and SKS ASSOCIATES, LLC,

Defendants.

Plaintiffs have filed voluminous exhibits in support of their
filed motion for class certification. Plaintiffs' motion cites
several exhibits that are not included in the electronic docket
in the chambers copies provided to the Court. For example,
11 of Plaintiffs' Amended Motion cites, among other things,
10 of the declaration of Alicyn Roy and multiple pages of the
declaration of Nathan Jurczyk which were not included in
Plaintiffs' filings. It is not clear how many pages are missing
from the more than 100 exhibits Plaintiffs filed in support of
their motion. The Court is unable to prepare for the hearing or
rule on Plaintiffs' motion without a complete set of exhibits.

1 Plaintiffs are directed to review the motion, opposition and
2 reply and each of the exhibits cited therein to ensure that every
3 page of Plaintiffs' exhibits cited by either party has been filed
4 on the electronic docket and submitted to the Court as chambers
5 copies. Plaintiffs shall meet and confer with Leasing Defendants
6 to stipulate to a new hearing date for Plaintiffs' motion.
7 Plaintiffs shall file and submit their amended exhibits at least
8 two weeks prior to the date of the hearing.

9 The July 25, 2013 hearing date is VACATED. Leasing
10 Defendants' motion to continue the hearing is DENIED as moot.
11 (Docket No. 530). The Court notes that, absent a stipulation from
12 Plaintiffs, it will not delay the hearing on this motion until
13 after final approval of the settlement between Plaintiffs and
14 Merchant Services Defendants.

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IT IS SO ORDERED.

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Dated: 7/22/2013


CLAUDIA WILKEN
United States District Judge

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