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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 BRIAN ALGEE, individually, and on
 16 behalf of all others similarly situated,

Case No. C 11-0301 CW

17 Plaintiff,

18 v.

19 NORDSTROM, INC., and DOES 1
 20 through 50, inclusive,

21 Defendant.

Case No. CV11-3956 TEH

22 FAINE DAVIS, individually, and on behalf
 23 of all others similarly situated,

24 Plaintiff,

25 v.

26 NORDSTROM, INC., and DOES 1
 27 through 50, inclusive,

28 Defendants.

**[PROPOSED] ORDER RELATING CASES
 AND SETTING BRIEFING AND
 HEARING SCHEDULES ON MOTION TO
 COMPEL ARBITRATION AND MOTION
 FOR LEAVE TO FILE AMENDED OR
 SUPPLEMENTAL ANSWER**

(Docket Nos. 32 and 35 in 11-301; Docket No.
 9 in 11-3956)

Civil L.R. 3-12

1 The Court, having considered Defendant Nordstrom, Inc.'s Administrative Motion to
2 Consider Whether Case Should Be Related and all supporting documents presented before the Court,
3 any opposition thereto, and all prior pleadings and proceedings had herein, hereby orders as follows:

4 *Algee v. Nordstrom, Inc.*, CV11-0301, and *Davis v. Nordstrom, Inc.*, case number CV11-
5 3956, shall be related and conducted before Judge Wilken. A case management conference shall be
6 held in each case on December 8, 2011. Case management statements must be filed no less than
7 seven days prior to that date, in accordance with the Local Rules.

8 Defendant's pending Motion to Compel Arbitration, *Davis v. Nordstrom, Inc.*, Docket No. 9,
9 need not be re-noticed before this Court. The Court sets the following briefing and hearing schedule
10 for this motion:

- 11 1. Plaintiff's Opposition to the Motion to Compel Arbitration is due by October 31, 2011.
- 12 2. Defendant's Reply in further support of the Motion to Compel Arbitration is due by
13 November 7, 2011.
- 14 3. The motion hearing is set for Thursday, December 8, 2011.

15 On October 14, 2011, Defendant Nordstrom filed a Notice of Motion for Leave to File an
16 Amended or Supplemental Answer in *Algee v. Nordstrom, Inc.*, Docket No. 35, which set the
17 hearing date for this motion to be November 15, 2011, less than thirty-five days after the date of the
18 notice, in violation of Local Rule 7-2(a). Accordingly, the Court vacates the current hearing date
19 and sets the following briefing and hearing schedule for this motion:

- 20 1. Plaintiff's Opposition to the Motion to Leave to File an Amended or Supplemental
21 Answer is due by October 31, 2011.
- 22 2. Defendant's Reply in further support of the Motion to Leave to File an Amended or
23 Supplemental Answer is due by November 7, 2011.
- 24 3. The motion hearing is set for December 8, 2011.

25 Dated: 10/18/2011 _____


UNITED STATES DISTRICT JUDGE

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