

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

3  
4 ROBERT MENDEZ, et al.,

No. C 11-2478 CW

5                                    Plaintiffs,

ORDER REGARDING  
REQUEST FOR CASE  
MANAGEMENT

6                                    v.

CONFERENCE (Docket  
No. 71)

7 R+L CARRIERS, INC.; R&L CARRIERS  
8 SHARED SERVICES, LLC, et al.,

9                                    Defendants.

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10                                    On January 24, 2013, Plaintiffs Robert Mendez and Randy  
11 Martinez requested a case management conference to clarify the  
12 scope of the November 19, 2012 order granting in part and denying  
13 in part their motion for class certification. In that order, the  
14 Court certified a class of all truck drivers employed by  
15 Defendants, R+L Carriers, Inc. and R+L Carriers Shared Services,  
16 LLC, between May 2007 and May 2011. See Docket No. 67, at 41. In  
17 their motion for class certification, however, Plaintiffs sought  
18 to certify a class of truck drivers who were employed by  
19 Defendants between May 2007 and the present.

20                                    Because the class certification order appears to impose an  
21 erroneous limitation on the class period, the Court is inclined to  
22 amend the order to expand the class to include drivers employed by  
23 Defendants after May 2011. Before it does so, however, Defendants  
24 may file a response to Plaintiffs' request for a case management  
25 conference to articulate any reasons why they believe the class  
26 certification order should not be amended. Defendants' response  
27 must be filed within one week of the date of this order and must  
28 not exceed three pages in length.

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Plaintiffs, in their request for a case management conference, also sought to clarify whether the Court has approved the proposed notice to class members that they submitted with their motion for class certification. The Court has not approved the notice. Plaintiffs should try to reach an agreement with Defendants regarding the wording and timing of the proposed notice. They may submit a new notice in advance of the hearing set for March 7, 2013 on Defendants' motion for certification of interlocutory appeal. The Court will address the proposed notice and any other scheduling matters at that hearing.

IT IS SO ORDERED.

Dated: 1/28/2013

  
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CLAUDIA WILKEN  
United States District Judge