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3
4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6
7 CHARLES BREWER, *et al.*,

8 Plaintiffs,

9 v.

10 GENERAL NUTRITION CORPORATION,

11 Defendant.

Case No.: 11-CV-3587 YGR

ORDER SETTING SCHEDULE FOR SUMMARY
JUDGMENT BRIEFING AND HEARING;
SETTING DEADLINES FOR SUBMISSION OF
REVISED CLASS CERTIFICATION AND FLSA
DECERTIFICATION NOTICES AND SERVICE
THEREOF

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13 The Court, having held its summary judgment pre-filing conference with the parties this
14 date, **ORDERS** as follows:

15 **Summary Judgment/Adjudication Motions**

16 (1) Defendant shall file its summary outlining the issues as to which it will seek summary
17 judgment or adjudication no later than **Monday, May 4, 2015**.

18 (2) Plaintiffs shall file their summary judgment/summary adjudication motion no later than
19 **May 19, 2015**.

20 (3) Defendant shall file its cross-motion for summary judgment/summary adjudication and
21 opposition to Plaintiffs' motion for summary judgment/summary adjudication no later than **June 9,**
22 **2015**.

23 (4) Plaintiffs shall file the reply on their motion for summary judgment/summary
24 adjudication and opposition to Defendant's cross-motion for summary judgment/summary
25 adjudication no later than **June 23, 2015**.

26 (5) Defendant shall file its reply on its cross-motion for summary judgment/summary
27 adjudication no later than **June 30, 2015**.

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1 (6) The parties' summary judgment/summary adjudication motions shall be heard on **July**
2 **21, 2015**, at 2:00 p.m.

3 (7) Plaintiffs shall file their trial plan within 21 days of the Court's order on the motions.
4 Defendant shall file its motion to decertify the class, if any, within 30 days of the Court's order on
5 the motions.


6 **Class Certification Notice/FLSA Decertification Notice**

7 (8) Plaintiffs shall file by **Monday, May 4, 2015**, for approval by the Court revised forms
8 of: (a) notice of decertification for non-California plaintiffs who opted into the FLSA action; (b)
9 notice of decertification for California plaintiffs who opted into the FLSA action; (c) class
10 certification for the remaining certified claims. The parties shall revise the notices in the manner as
11 stated on the record and confirm that the notices will be mailed by May 8, 2015.

12 (9) Upon further reflection on the parties' arguments, the opt-out postmark deadline shall be
13 **June 24, 2015**. The revised form of notice shall so reflect.

14 **IT IS SO ORDERED.**

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16 Date: April 30, 2015

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18 **YVONNE GONZALEZ ROGERS**
19 **UNITED STATES DISTRICT COURT JUDGE**