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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**CHARLES BREWER**, individually and on  
behalf of all other similarly situated current  
and former employees of Defendant,

Plaintiffs,

v.

**GENERAL NUTRITION CORPORATION**,

Defendant.

Case No. 11-cv-3587 YGR

PRETRIAL ORDER NO. 6  
REGARDING BRIEFING ON TRIAL SUBPOENA  
ISSUES AND REIMBURSEMENT DAMAGES  
CALCULATION

The Court issues this further pretrial order to address two outstanding issues:

(1) Trial Subpoena Issues

Defendant General Nutrition Corporation (GNC) has filed a Motion to Quash Plaintiffs' Trial Subpoenas. (Dkt. No. 355.) In response, Plaintiffs have filed an opposition brief (Dkt. No. 359), as well as a Motion for Declaratory Relief (Dkt. No. 358). The Court sets the following schedule for hearing and briefing on the trial subpoena issues:

(a) Hearing on the Motions to Quash and for Declaratory Relief is **SET for Monday, February 1, 2016, at 9:30 a.m.**

(b) GNC shall file any response to the arguments made in Plaintiffs' opposition or Motion for Declaratory Relief no later than **1:00 p.m. on Friday, January 29, 2016.**

(2) Expert Opinion Regarding Reimbursement Claim

Plaintiffs are **ORDERED** to lodge with the Court:

(a) the information upon Dr. Jeffrey S. Kane relied in calculating the reimbursement scenarios at Tables 10-13 (pages 16-18) in his report, including number of stores, distance from each store to its bank, and any evidence of representations from GNC regarding the same;

(b) the relevant portion(s) of Dr. Kane's deposition where this information was discussed.

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Plaintiffs shall lodge copies of the responsive documents with the Court no later than **1:00 p.m. on Friday, January 29, 2016.**

**IT IS SO ORDERED.**

Dated: January 27, 2016

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