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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NAD KARIM,

Plaintiff,

No. C 12-5240 PJH

v.

HEWLETT-PACKARD COMPANY,

Defendant.

**ORDER DENYING MOTION FOR
LEAVE TO AMEND AND DENYING
MOTION TO STRIKE**

_____ /

Plaintiff’s motion for leave to amend and defendant’s motion to strike came on for hearing before this court on December 24, 2014. Plaintiff Nad Karim (“plaintiff”) appeared through his counsel, Jenelle Welling. Defendant Hewlett-Packard Co. (“defendant”) appeared through its counsel, Blaine Evanson. Having read the papers filed in conjunction with the motions and carefully considered the arguments and the relevant legal authority, and good cause appearing, the court hereby DENIES plaintiff’s motion for leave to amend and DENIES defendant’s motion to strike, as stated at the hearing and as follows.

Plaintiff’s motion for leave to amend the complaint to allege an earlier class start date is denied, as plaintiff has not identified any newly-discovered information that would justify his proposed amendment. Instead, it appears that plaintiff has been aware of the alleged earlier start date since August 2013, and the court finds that permitting the proposed amendment now would cause prejudice to defendant.

Defendant’s motion to strike the portion of plaintiff’s proposed class definition which identifies 27 specific computer models is denied, as the court finds that the inclusion of those models actually serves to narrow the class definition. While the court’s previous order did not specifically allow the identification of the computer models, its ruling that plaintiff was permitted to allege a California-only class was intended to allow the California-only class proposed by plaintiff, which did include an identification of the 27 computer

United States District Court
For the Northern District of California

1 models. The previously alleged class definition included all persons who “customized and
2 purchased from HP’s website a laptop computer containing a wireless card which HP
3 represented as capable of operating on both the 2.4 GHz and 5.0 GHz frequencies.”

4 **IT IS SO ORDERED.**

5 Dated: December 24, 2014

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8 PHYLLIS J. HAMILTON
9 United States District Judge
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