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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

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7 **EMILY KOZLOW,**  
8 Plaintiff,

9 v.

10 **HANGTIME, INC.,**  
11 Defendant.

Case No. 14-cv-02249-YGR

**ORDER IN ADVANCE OF CASE  
MANAGEMENT CONFERENCE**

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13 Having reviewed the parties' Joint Case Management Conference Statement (Dkt. No. 34),  
14 and time being of the essence as non-expert discovery closes on February 13, 2015, the Court  
15 hereby issues the following orders and responses to an informal request set forth therein:

- 16 1. **Class Certification:** The Court declines to entertain an oral motion as to the adequacy  
17 of a class certification motion and declines to find that the class allegations should be  
18 stricken for failure of the plaintiff to bring a class certification motion last fall. The  
19 parties jointly advised the Court that they believed this case would be resolved as part  
20 of a multi-district litigation (Dkt. No. 29), which apparently did not happen (Dkt. No.  
21 34). Given that the Court did not impose a hard deadline for the motion in its  
22 scheduling order (Dkt. No. 32), the defendant could have sought the Court's assistance  
23 last fall and did not.
- 24 2. **Settlement Conference:** The parties are hereby **REFERRED** to Magistrate Judge  
25 Joseph Spero for a mandatory settlement conference to be held on **March 19, 2015**.  
26 Magistrate Judge Spero will contact the parties directly.
- 27 3. **Order to Show Cause:** An Order to Show Cause hereby issues as to why each party  
28 should not be sanctioned for failing to comply with this Court's Case Management and


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Pretrial Order (Dkt. No. 32) requiring that private mediation be completed by January 16, 2015. The parties will be allowed to address the issue orally at the case management conference on February 9, 2014 at 2:00 p.m. in Courtroom 1 of the United States District Court in Oakland, California.

4. **Referral to Magistrate Judge for All Discovery:** The parties are hereby **REFERRED** to Magistrate Judge Kandis Westmore for all discovery matters.

**IT IS SO ORDERED.**

Dated: February 3, 2015

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE

cc: MagRef Email; Magistrate Judge Joseph Spero  
Magistrate Judge Kandis Westmore