

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

VALERIE WILLIAMS, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

THE HERTZ CORPORATION, et al.,

Defendants.

No. C 14-03661 JSW

**ORDER CONTINUING CASE
MANAGEMENT CONFERENCE
AND GRANTING IN PART
MOTION TO SHORTEN TIME
AND SETTING BRIEFING
SCHEDULE ON MOTION TO
DISMISS**

The Court has received Plaintiff's motion for an order to shorten time, relating to her motion to dismiss this case without prejudice. The Court GRANTS that motion in part. The Court will resolve the motion on the papers. The hearing scheduled for August 7, 2015 is VACATED. Defendants shall file a response to the motion by June 24, 2015, and Plaintiff may file a reply by July 1, 2015.

The Court FURTHER ORDERS Defendants to address the following question in their opposition, and Plaintiff may respond in her reply:

In the correspondence attached to the motion to shorten time, Defendants requested that Plaintiff stipulate to filing any subsequent lawsuit in federal court "if a jurisdictional basis exists for doing so." (Docket No. 38-1, Declaration of Amy Wooten, ¶ 3; Docket No. 38-3, Exhibit B to Wooten Declaration.) If Plaintiff filed a new lawsuit in state court, and there was a jurisdictional basis for doing so, why could Defendants could not simply remove such a case?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The parties have requested that the Court continue the case management conference pending resolution of the motion. That request is GRANTED, and the Court CONTINUES the case management conference to August 7, 2015 at 11:00 a.m. If the Court denies Plaintiff's motion, the parties shall file an updated case management statement by no later than July 31, 2015.

IT IS SO ORDERED.

Dated: June 18, 2015



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE