

United States District Court
Northern District of California

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MATTHEW JOHNSON,
Plaintiff,
v.
COMCAST OF
CALIFORNIA/COLORADO/
WASHINGTON I, INC,
Defendant.

Case No. [10-cv-04147-JSW](#)

DUSTIN POOLE,
Plaintiff,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [13-cv-03772-JSW](#)

DANIEL CANADAY, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [15-cv-04648-JSW](#)

EDMUNDO ORTEGA, JR., et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [15-cv-04676-JSW](#)

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

JASON WILLIAMS, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [15-cv-04732-JSW](#)

LAMBERTO VALENCIA, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [15-cv-04771-JSW](#)

JEFFREY COLEMAN, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [15-cv-04782-JSW](#)

RICHARD NELSON, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [15-cv-04793-JSW](#)

CALEB DUBOIS, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [15-cv-04809-JSW](#)

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

GREGORY PETERS, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [15-cv-04869-JSW](#)

LUPE LANDIN, JR., et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [16-cv-04174-JSW](#)

CORY BARRETT HALL,
Plaintiff,
v.
COMCAST OF CONTRA COSTA, INC., et
al.,
Defendants.

Case No. [16-cv-04175-JSW](#)

FRANCISCO FLORES, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [16-cv-04176-JSW](#)

JOSEPH JOSHUA DAVIS, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [16-cv-04177-JSW](#)

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

JAMES K. GRIMES, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [16-cv-04178-JSW](#)

STEPHEN MCBRIDE, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [16-cv-04179-JSW](#)

LAWRENCE ELKINS, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [16-cv-04180-JSW](#)

HERNAN PAEZ, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [16-cv-04181-JSW](#)

KRIS COOK, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [16-cv-04182-JSW](#)

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

KEVIN HUFFMAN, et al.,
Plaintiffs,
v.
COMCAST CORPORATION, et al.,
Defendants.

Case No. [16-cv-04183-JSW](#)

**ORDER RELATING
TRANSFERRED CASES; CONTINUING
CASE MANAGEMENT
CONFERENCES IN RELATED CASES;
DEFERRING RULING ON WHETHER
STAYED CASES ARE RELATED; AND
REQUIRING STATUS REPORT RE
STAYED CASES**

1. The Transferred Cases Are Related.

On July 21, 2016, the Eastern District of California transferred ten cases to this Court. *See Landin v. Comcast Corp.*, 16-cv-04174-JSW; *Hall v. Comcast Corp.*, 16-cv-04175-JSW; *Flores v. Comcast Corp.*, 16-cv-04176-JSW; *Davis v. Comcast Corp.*, 16-cv-04177-JSW; *Grimes v. Comcast Corp.*, 16-cv-04178-JSW; *McBride v. Comcast Corp.*, 16-cv-04179-JSW; *Elkins v. Comcast Corp.*, 16-cv-04180-JSW; *Paez v. Comcast Corp.*, 16-cv-04181-JSW; *Cook v. Comcast Corp.*, 16-cv-04182-JSW; *Huffman v. Comcast Corp.*, 16-cv-04183-JSW (collectively, the “transferred cases”). By order of the Executive Committee of this Court, all ten cases were assigned to the undersigned.

On January 15, 2016, the Eastern District of California had ordered that these ten transferred cases were related to each other within the meaning of Eastern District of California Local Rule 123(a). Following transfer of the ten cases to this Court, Plaintiffs filed a motion to relate the ten cases to eight related cases already pending before the undersigned: *Canaday v. Comcast Corp.*, 15-cv-04648-JSW; *Ortega v. Comcast Corp.*, 15-cv-04676-JSW; *Williams v. Comcast Corp.*, 15-cv-04732-JSW; *Valencia v. Comcast Corp.*, 15-cv-04771-JSW; *Coleman v. Comcast Corp.*, 15-cv-04782-JSW; *Nelson v. Comcast Corp.*, 15-cv-04793-JSW; *DuBois v. Comcast Corp.*, 15-cv-04809-JSW; and *Peters v. Comcast Corp.*, 15-cv-04869-JSW. Defendants responded that they do not believe that the cases meet the definition set forth in Civil Local Rule 3-12(a), but that they have no objection to coordination of the cases for purposes of discovery or deciding common legal issues.

Upon review of the record, the Court finds that each of the ten transferred cases IS

1 RELATED to *Canaday v. Comcast Corp.*, 15-cv-04648-JSW, and all other cases related to
2 *Canaday*, as defined by Civil Local Rule 3-12. Accordingly, the Court GRANTS the motion to
3 relate the cases. Because the cases are already assigned to the undersigned, further reassignment
4 is not necessary.

5 **2. The Court Continues the Case Management Conferences in the Related Cases.**

6 Case management conferences in all eighteen related cases are currently scheduled for
7 September 9, 2016, at 11:00 a.m. On August 1 and 2, 2016, the parties filed a stipulation and
8 proposed order in the ten transferred cases only, requesting that the case management conferences
9 in the ten transferred cases be moved to September 23, 2016 at 11:00 a.m. The Court GRANTS
10 this request. The initial case management conferences in the following cases are HEREBY
11 RESCHEDULED to September 23, 2016 at 11:00 a.m.: *Landin v. Comcast Corp.*, 16-cv-04174-
12 JSW; *Hall v. Comcast Corp.*, 16-cv-04175-JSW; *Flores v. Comcast Corp.*, 16-cv-04176-JSW;
13 *Davis v. Comcast Corp.*, 16-cv-04177-JSW; *Grimes v. Comcast Corp.*, 16-cv-04178-JSW;
14 *McBride v. Comcast Corp.*, 16-cv-04179-JSW; *Elkins v. Comcast Corp.*, 16-cv-04180-JSW; *Paez*
15 *v. Comcast Corp.*, 16-cv-04181-JSW; *Cook v. Comcast Corp.*, 16-cv-04182-JSW; *Huffman v.*
16 *Comcast Corp.*, 16-cv-04183-JSW.

17 Additionally, the Court *sua sponte* RESCHEDULES the further case management
18 conferences in the other eight related cases to September 23, 2016 at 11:00 a.m. *See Canaday v.*
19 *Comcast Corp.*, 15-cv-04648-JSW; *Ortega v. Comcast Corp.*, 15-cv-04676-JSW; *Williams v.*
20 *Comcast Corp.*, 15-cv-04732-JSW; *Valencia v. Comcast Corp.*, 15-cv-04771-JSW; *Coleman v.*
21 *Comcast Corp.*, 15-cv-04782-JSW; *Nelson v. Comcast Corp.*, 15-cv-04793-JSW; *DuBois v.*
22 *Comcast Corp.*, 15-cv-04809-JSW; and *Peters v. Comcast Corp.*, 15-cv-04869-JSW.

23 The joint case management statement in each of the related cases is due September 16,
24 2016. The parties are encouraged to file a single joint case management statement in all of the
25 related cases, which may have separate subsections for case-specific topics. The parties may also
26 file case-specific joint statements as necessary. If the parties file the same case management
27 statement in multiple cases, the parties should file only a single chambers copy, not a duplicate
28 chambers copy for each case.

1 **3. The Court Defers Ruling on Whether the Stayed Cases Are Related.**

2 On July 13, 2016, the Court ordered the parties to meet and confer to consider whether two
3 additional cases, *Johnson v. Comcast of California/Colorado/Washington I, Inc.*, No. 10-cv-
4 04147-JSW, and *Poole v. Comcast Corporation*, No. 13-cv-03772-JSW, are related to *Canaday*
5 and all other cases related to *Canaday*. *Johnson* and *Poole* are stayed pending final resolution of
6 *Fayerweather v. Comcast Corporation and Comcast of Contra Costa, Inc.*, Superior Court of
7 California in and for Contra Costa County No. C-08-01470. The parties in *Johnson* and *Poole*
8 have been ordered to submit status reports to this court every 120 days.

9 In response to the Court’s order, the parties request that the stay of *Johnson* and *Poole*
10 remain in place for sixty days, to permit the parties to discuss voluntary resolution of these two
11 cases. The parties request that the Court defer addressing the question of whether *Johnson* and
12 *Poole* should be related to *Canaday* and all other cases related to *Canaday* while the stay remains
13 in place. The Court GRANTS this request.

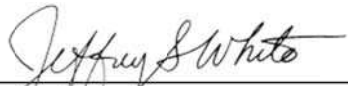
14 **4. The Parties Shall File a Further Status Report in the Stayed Cases.**

15 The parties in *Johnson* and *Poole* SHALL file a further joint status report no later than
16 October 3, 2016. In addition to any other issues that the parties may address in the joint status
17 report, the parties shall address: (1) whether *Johnson* and *Poole* should be related to *Canaday* and
18 all other cases related to *Canaday*; and (2) whether *Johnson* and *Poole* should remain stayed.

19 **IT IS SO ORDERED.**

20 Dated: August 4, 2016

21
22
23
24
25
26
27
28



JEFFREY S. WHITE
United States District Judge