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E-FILED 12/24/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PAUL VELIZ, et al.,

NO. C 03-1180 RS

Plaintiffs,

SCHEDULING ORDER

v.

CINTAS CORPORATION, et al.,

Defendants.

_____ /
The scheduling order presented below applies to the following motions submitted by both parties.

(1) Defendants' motions:

- (a) Uniform SSR Motion for Summary Judgment (New Uniforms/Direct Sales) (Dkt. 1011);
- (b) Alvis Motion for Summary Judgment (Dkt. 1109);
- (c) Lauvrak & Stachnik Motion for Summary Judgment (Dkt. 1116);
- (d) Truck Weight Motion for Summary Judgment (Dkt. 1127);
- (e) Renewed Motion for Summary Judgment (Five SSRs Crossing State Lines/Application of 2-Year Limitation) (Dkt. 1128);
- (f) First Aid & Safety SSR Motion for Summary Judgment (Dkt. 1148);
- (g) Minnesota & Missouri Application of MCA Exemption Motion for Summary

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Judgment (Dkt. 1159);
(h) Plaintiffs not SSRs Motion for Summary Judgment (Dkt. 1161);
(i) Facility Services SSR Motion for Summary Judgment (Dkt. 1168);
(j) Motion for Summary Judgment on Uniform Delivering Plaintiffs (Dkt. 1169); and
(k) Uniform SSR Motion for Summary Judgment (Consumables & Other New
Uniforms/Direct Sales) (Dkt. 1201).

(2) Plaintiffs' motions:

- (a) Motion for Partial Summary Judgment Regarding Illegality of Cintas Pay Practice (Dkt. 1107);
- (b) Motion to Substitute Spouses for Deceased Plaintiffs Lawrence Michfelder & Bruce Lauvrak (Dkt. 1116);
- (c) Motion for Leave to File Third Amended Complaint (Dkt. 1123); and
- (d) Motion to Supplement Plaintiffs' Expert Report & to Compel Production of Usable Payroll Records (Dkt. 1158).

It is hereby ordered that:

- (1) For all motions identified above, the hearing date is moved to February 4, 2009, at 2:00 p.m.
- (2) All oppositions are due on or before January 21, 2009.
- (3) All replies are due on or before January 28, 2009.
- (4) Defendants' concurrently filed Motion for *De Novo* Determination (Dkt. 1092) and Motion to Sustain Objections to Orders Compelling Discovery (Dkt. 1094) will proceed under Civil Local Rule 72-2 as an objection to a non-dispositive pretrial decision rather than under Civil Local Rule 72-3 as an objection warranting *de novo* review of a dispositive decision. Accordingly, no hearing will be scheduled on that motion at this time.

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IT IS SO ORDERED.

Dated: December 24, 2008


RICHARD SEEBORG
United States Magistrate Judge