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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GUIFU LI, MENG WANG, FANG DAI, LIN )  
CUI, and ZHONG YU, on behalf of themselves )  
and all others similarly situated, )  
 )  
Plaintiffs, )  
v. )  
A PERFECT DAY FRANCHISE, INC., a )  
California Corporation, et al., )  
 )  
Defendants. )

Case No.: 10-CV-01189-LHK  
  
ORDER REGARDING DEADLINES  
FOR MOTIONS

Plaintiffs submitted a "Request for Status Conference" on August 2, 2011. In it, Plaintiffs ask to vacate the current class certification briefing schedule based on a number of issues. The Court has granted multiple extensions to the class certification briefing schedule due to delays in discovery. In the last extension, the Court stated that no further extensions would be granted. The Court will not extend the class certification briefing schedule.

Based on Plaintiffs' filing, it appears that Defendants have raised a potential conflict of interest between Plaintiffs' counsel Adam Wang and Defendants. This potential conflict came to light during a deposition on July 12, 2011. To date, Defendants have not made a motion to disqualify Mr. Wang or any of the rest of Plaintiffs' counsel. If Defendants intend to file such a

1 motion, they shall do so by **August 5, 2011**. If Defendants file such a motion, Mr. Wang may not  
2 work on this matter until the motion is resolved. However, even if Defendants move to disqualify  
3 all of Plaintiffs' counsel, the rest of Plaintiffs' counsel may work on the case until the motion to  
4 disqualify is resolved. Plaintiffs state that they have postponed other depositions because of the  
5 potential conflicts. **The parties are ordered to reschedule these depositions so that they are**  
6 **concluded on or before August 10, 2011.**

7 In addition, Plaintiffs state that Defendants have not made Mr. Zou available for deposition  
8 on the scheduled date of July 11, 2011, despite this Court's Order that the date for his deposition be  
9 set by June 24, 2011. Plaintiffs shall make a motion to compel, a motion for sanctions for  
10 contempt of this Court's Order, or both, by **August 5, 2011**.

11 The Court is disappointed that both parties appear to be delaying resolution of this case.  
12 While the Defendants have failed to cooperate in producing witnesses, Plaintiffs have not asserted  
13 their rights by filing motions to compel or other motions requiring Defendants to comply with their  
14 discovery obligations. If the parties do not wish to litigate this case, they are encouraged to settle  
15 it. Otherwise, the case schedule remains as set.

16 **IT IS SO ORDERED.**

17 Dated: August 3, 2011

18   
19 LUCY H. KOH  
United States District Judge