

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JEANNE SHULTZ,)	Case No.: 10-CV-04568-LHK
Plaintiff,)	
v.)	
HYATT VACATION MARKETING)	ORDER REGARDING NOTICE OF
CORPORATION, ET AL.,)	WITHDRAWAL OF MOTION FOR
Defendants.)	CLASS CERTIFICATION

Plaintiffs have filed a Notice for Withdrawal of Class Certification. Because the Notice of Withdrawal was filed after 7 days after service of Defendants' Opposition papers, Plaintiffs' motion is DENIED without prejudice. See Local R. 7-7(e).

However, the hearing date on Plaintiff's Motion for Class Certification currently set for September 1, 2011 is VACATED and RESET for Tuesday, November 8, 2011. Plaintiffs must file the Motion for Preliminary Approval of Proposed Class Settlement and Notice Plan by October 13, 2011 in accordance with Fed. R. Civ. P. 23(e) and the applicable Local Rules. When Plaintiffs file the Motion for Preliminary Approval, they should also refile their Notice of Withdrawal of Class Certification. At that time the Court will reset the November 8, 2011 hearing as a hearing on the Motion for Preliminary Approval. If Plaintiffs do not file the Motion for Preliminary Approval by October 13, 2011, the November 8 hearing will proceed as a hearing on the Plaintiffs' Class Certification Motion.

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Dated: August 29, 2011



Hon. Lucy H. Koh
United States District Judge