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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHRIS WERDEBAUGH, individually and on behalf of all others similarly situated,)	5:12-cv-02724-LHK
)	
Plaintiff,)	ORDER DENYING MOTION TO ENLARGE BRIEFING SCHEDULE
)	
v.)	
)	
BLUE DIAMOND GROWERS,)	
)	
Defendant.)	

Defendant Blue Diamond Growers (“Blue Diamond”) moves to enlarge its time to oppose Plaintiff Chris Werdebaugh’s motion for class certification. *See* Dkt. 92. Werdebaugh opposes. *See* Dkt. 93. After considering the parties’ arguments and the record in this and the related case, *Tchayelian v. Blue Diamond Growers*, No. 14-CV-00091 (N.D. Cal. filed Jan. 7, 2014), the Court DENIES Blue Diamond’s request.

Blue Diamond presents no good cause for its requested delay. Werdebaugh has filed a motion to stay *Tchayelian*, *see* Dkt. 87, which the plaintiff in that case opposes, *see* Dkt. 94. Blue Diamond contends that, in light of *Tchayelian*’s uncertain status, an extension of the briefing schedule on Werdebaugh’s class certification motion would conserve judicial resources, prevent unnecessary expense, and protect Blue Diamond from substantial prejudice. The Court fails to see how requiring Blue Diamond to respond to Werdebaugh’s motion now will give either

1 Werdebaugh or Tchayelian an improper advantage. Blue Diamond already sought and received a
2 two-week extension to its opposition deadline, *see* Dkt. 85, giving it a total of nearly two months
3 to prepare its opposition. Blue Diamond now seeks an additional extension of four weeks, which
4 would extend the total briefing time past the hearing date currently set for Werdebaugh's motion.

5 Accordingly, Blue Diamond's request to enlarge the briefing schedule on Werdebaugh's
6 motion for class certification is DENIED.

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8 Dated: March 6, 2014


HON. LUCY H. KOH
United States District Judge

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