

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

BROOKDALE INN AND SPA, et. al.,

CASE NO. 5:13-cv-02559 EJD

Plaintiff(s),

**ORDER FOR FURTHER BRIEFING;
VACATING AND SUBMITTING MOTION**

v.

CERTAIN UNDERWRITERS AT
LLOYD'S, LONDON SUBSCRIBING TO
CERTIFICATE OF INSURANCE NO.
E10NF16040


Defendant(s).

On October 18, 2013, Plaintiffs filed a Statement of Recent Decision notifying the court of the California Supreme Court's opinion in Sonic-Calabasas A, Inc. v. Moreno, No. S174475, 2013 Cal. LEXIS 8111 (2013). Having reviewed that opinion, the court orders as follows:

1. On or before November 15, 2013, Plaintiffs and Defendant may each file one additional brief, not to exceed 5 pages, addressing the impact of Sonic-Calabasas on the issues presented by Defendant's pending Motion to Compel Arbitration, Dismiss or Stay. See Docket Item No. No responsive briefs should be filed.
2. With this additional briefing, the court has determined that Defendant's Motion is suitable for decision without oral argument pursuant to Civil Local Rule 7-1(b). Accordingly, the hearing scheduled for November 1, 2013, is VACATED and the motion will be deemed submitted upon conclusion of the briefing ordered herein.

IT IS SO ORDERED.

Dated: October 29, 2013


EDWARD J. DAVILA
United States District Judge