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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DONNA J. FORSYTH, et al.,  
Plaintiffs,  
v.  
HP INC., et al.,  
Defendants.

Case No. [5:16-cv-04775-EJD](#)

**ORDER GRANTING DEFENDANTS’  
MOTION FOR LEAVE TO FILE  
MOTION FOR RECONSIDERATION**

Re: Dkt. No. 158

On February 6, 2018, the Court issued an order denying Defendants’ motion to enjoin the currently pending arbitration between Defendants and fifteen of the currently named Plaintiffs, which was initiated as a single proceeding with the American Arbitration Association in San Francisco. Dkt. No. 152. Defendants now seek leave to move for reconsideration pursuant to Civil Local Rule 7-9(b)(3), arguing that the Court failed to consider the “material fact[.]” that *both* sections 13 and 21 of Plaintiffs’ General Waiver and Release Agreements (“Release Agreements”) require arbitration “in or near the city” where each Plaintiff was last employed. Dkt. No. 158.

Because the Court’s order only addressed the language in section 13 of the Release Agreements and not section 21, the Court will GRANT Defendants’ request for leave. The Court construes the motion at Dkt. No. 158 as Defendants’ motion for reconsideration and invites responsive briefing as follows:

1. Plaintiffs shall file a responsive brief of no more than **5 pages, double-spaced**, by **March 13, 2018**.

Case No.: [5:16-cv-04775-EJD](#)  
**ORDER GRANTING DEFENDANTS’ MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION**


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2. Defendants shall file a reply brief of no more than **3 pages, double-spaced**, by **March 16, 2018**.

3. In their briefing, the parties shall address, among other things, the effect that requiring Plaintiffs to arbitrate “in or near the city” where they were last employed has on whether Plaintiffs can arbitrate collectively and/or otherwise proceed with the currently pending arbitration.

**IT IS SO ORDERED.**

Dated: March 6, 2018

  
EDWARD J. DAVILA  
United States District Judge