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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ZARAH KIMBLE, SEHER BASAK, and
SARAH SAKINAH GROZA O'LOUGHLIN,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

SPECIALIZED LOAN SERVICING, LLC,

Defendant.

Case No.: 16cv2519-GPC (BLM)

**ORDER DENYING PLAINTIFF'S EX
PARTE MOTION TO STAY THE
SCHEDULING ORDER**

[ECF No. 85]

On April 20, 2018, Plaintiffs filed an ex parte motion requesting this Court to stay the deadlines in the Scheduling Order [ECF No. 42], "pending resolution of Plaintiffs' Motion to Withdraw as Named Plaintiffs and Substitute Nick Nikki as Named Plaintiff ('Motion to Withdraw and Substitute') [ECF No. 63]." ECF No. 85. In support, Plaintiffs state that they are currently unable to obtain the discovery necessary to properly prepare for the mandatory settlement conference scheduled for April 30, 2018 and to move for class certification by the May 7, 2018 deadline. Id. at 2. Plaintiffs further state that if District Judge Curiel grants the Motion to Withdraw and Substitute, Plaintiffs should have the opportunity to gather the needed discovery afterwards. Id. at 3. Defendants did not file an opposition to the motion. See Docket.

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1 On April 20, 2018, after the instant motion was filed, District Judge Curiel issued an Order
2 Denying Plaintiffs' Motion to Withdraw as Named Plaintiffs and Substitute Nick Nikki as Named
3 Plaintiff. ECF No. 86.

4 On April 23, 2018, the parties filed a joint motion to continue the mandatory settlement
5 conference by thirty days. ECF No. 87. The parties stated that Plaintiffs "are exploring their
6 options with respect to dismissing the litigation." Id. at 2. On April 24, 2018, the Court issued
7 an Order Granting the Joint Motion to Continue the Mandatory Settlement Conference.
8 ECF No. 88.

9 In light of Judge Curiel's order denying Plaintiffs' Motion to Withdraw and Substitute and
10 the order continuing the mandatory settlement conference, Plaintiffs' ex parte motion to stay
11 the Scheduling Order is **DENIED** as moot.

12 **IT IS SO ORDERED.**

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14 Dated: 4/26/2018


15 Hon. Barbara L. Major
16 United States Magistrate Judge
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