Stewart et al	v. Kodiak Cakes, LLC	ι
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8	UNITED STATES I	DISTRICT COURT
9	SOUTHERN DISTRICT OF CALIFORNIA	
10		
11	TY STEWART, et al.,	Case No. 19-cv-2454-MMA (MSB)
12	Plaintiffs,	ORDER GRANTING PARTIES'
13	v.	JOINT MOTION TO FILE FIRST
14	KODIAK CAKES, LLC,	AMENDED COMPLAINT, EXTEND TIME TO RESPOND TO FIRST
15	Defendant.	AMENDED COMPLAINT, AND
16		INCREASING RULE 12(b) BRIEFING PAGE LIMITS; AND
17		ORDER DENYING AS MOOT
18		PLAINTIFFS' MOTION FOR LEAVE TO FILE A FIRST
19		AMENDED CLASS ACTION
20		COMPLAINT
21		[Doc. Nos. 34, 35]
22		
23	The parties jointly move (1) to allow Plaintiffs Ty Stewart, Jocelyn Fielding,	
24	Laureene Buck, and Anna Altomare ("Plaintiffs") to file a First Amended Complaint	
25	("FAC"); (2) to allow Kodiak Cakes, LLC ("Defendant") thirty days from the filing of	
26	the FAC to file its response; and (3) to allow the parties increased page lengths if	
27	Defendant files a Federal Rule of Civil Procedure 12(b) motion in response to the FAC.	
28	See Doc. No. 35.	

Doc. 36

1	The Court GRANTS the parties' joint motion. Pursuant to Federal Rule of Civil
2	Procedure 15(a)(2), the Court DIRECTS the Clerk of Court to file Plaintiffs' FAC (Doc.
3	No. 35-1) as a separate docket entry. Pursuant to Civil Local Rules 7.2 and 12.1 and
4	good cause appearing, the Court EXTENDS the time in which Defendant must answer or
5	otherwise respond to the Complaint to on or before October 28, 2020. Pursuant to Local
6	Civil Rule 7.1.h, the Court INCREASES the page limit for any Rule 12(b) motion filed
7	by Defendant in response to the FAC to as follows: (1) thirty-five pages for Defendant's
8	brief in support of its motion; (2) thirty-five pages for Plaintiffs' brief in opposition to
9	Defendant's motion; and (3) twenty pages for Defendant's reply brief. Furthermore, in
10	light of the parties' joint motion and this Order, the Court DENIES AS MOOT
11	Plaintiffs' motion for leave to file a first amended class action complaint (Doc. No. 34).
12	IT IS SO ORDERED.
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14	Dated: September 15, 2020
15	111:1-074-010-
16	HON. MICHAEL M. ANELLO
17	United States District Judge
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