

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
10

11 LUIS LERMA, on behalf of
12 himself and all other similarly
13 situated California residents, et
14 al.,
15
16 Plaintiff,
17 v.
18
19 SCHIFF NUTRITION
20 INTERNATIONAL, INC. a Utah
21 Corporation,
22
23 Defendant.

CASE NO. 11cv1056-MDD
ORDER RE: PLAINTIFF'S
UNOPPOSED MOTION
FOR PRELIMINARY
APPROVAL OF CLASS
SETTLEMENT

19 On July 10, 2014, the Court held a motion hearing on Plaintiff's
20 unopposed motion for preliminary approval of class settlement. (ECF No.
21 81). After hearing from counsel, the Court declined to preliminarily
22 approve class settlement as currently presented.¹ On or before
23 **September 1, 2014**, Plaintiff may file an amended motion for
24 preliminary approval of class settlement as discussed during the motion
25 hearing. Additionally, in any further motion seeking preliminary
26 approval of class settlement, Plaintiff must either certify compliance
27

28 ¹The Court's oral ruling made during the motion hearing is fully incorporated
herein.

1 with 28 U.S.C. § 1715 or demonstrate that compliance is not required.
2 Should Plaintiff receive any communication from the relevant
3 government official in response to the notice requirements of § 1715,
4 Plaintiff must promptly inform the Court.

5 IT IS SO ORDERED.

6
7 DATED: August 6, 2014

8
9 
10 Hon. Mitchell D. Dembin
11 U.S. Magistrate Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28