

1994 WL 669935

Only the Westlaw citation is currently available.
United States District Court, N.D. California.

Kristina RIDGEWAY, Individually and on Behalf of all Persons Similarly Situated, Plaintiffs,

v.

FLAGSTAR CORPORATION and Denny's, Inc., Defendants.
UNITED STATES of America, Plaintiff,

v.

FLAGSTAR CORPORATION and Denny's, Inc., Defendants.

Nos. C 93-20202 JW, C 93-20208 JW. | Nov. 18, 1994.

Attorneys and Law Firms

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Opinion

ORDER VACATING HEARING RE: MOTION TO ALTER OR AMEND JUDGMENT AND REQUIRING CREATION AND PRODUCTION OF LIST

WARE, District Judge.

*1 The initial motion of non-parties Gerald Salaam ("Salaam") and Paul Jackson ("Jackson") to alter or amend the judgment of September 30, 1994, was submitted on the papers without oral argument and was denied by the Court. Salaam and Jackson have now noticed a second motion to alter or amend the judgment. The Court declines to entertain such motion and hereby VACATES the hearing noticed for December 16, 1994. The Court did not, as alleged in the non-parties' moving papers, receive any post-hearing documents from class counsel, nor did the Court enter a proposed order which had not been approved as to form by all concerned. The Court prepared and issued its own order.

In addition, in its Order issued November 3, 1994, the Court ordered Salaam and Jackson to produce a list of any and all Denny's claimants which have contacted them and/or signed contingency fee agreements with them within three business days. Rather than produce such a list, however, Salaam and Jackson submitted affidavits to the Court stating that they have no such list.

In order to clarify the Court's prior order, the Court hereby orders Salaam and Jackson to review each and every one of their client files, create a list of any and all Denny's claimants that have contacted either or both Salaam and Jackson and/or have signed contingency fee agreements with Salaam and/or Jackson and product such list to Class Counsel within three business days of the date of this Order. If such list is not created and timely produced, the Court shall impose monetary sanctions against both Salaam and Jackson for failing to comply with this Court's order.

IT IS SO ORDERED.

