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**Superior Court of California, County of Alameda**  
**Rene C. Davidson Alameda County Courthouse**

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Cordova  <p style="text-align: right;">Plaintiff/Petitioner(s)</p> VS.  Greyhound Lines, Inc.  <p style="text-align: right;">Defendant/Respondent(s) (Abbreviated Title)</p>	No. <u>RG18928028</u>  Order  Motion  Denied
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The Motion filed for Greyhound Lines, Inc. was set for hearing on 05/28/2019 at 09:00 AM in Department 16 before the Honorable Michael M. Markman. The Tentative Ruling was published and was contested.

The matter was argued and submitted, and good cause appearing therefore,

**IT IS HEREBY ORDERED THAT:**

Defendant Greyhound Lines, Inc.'s ("Defendant") Motion to Stay Class Discovery by Plaintiff Rocio Cordova ("Plaintiff") is DENIED.

Defendant did not show that it is entitled to stay class discovery pending the Court's ruling on its Demurrer to Plaintiff's First Amended Complaint. The general rule is that "[p]leading deficiencies . . . do not affect either party's right to conduct discovery." (*Mattco Forge, Inc. v. Arthur Young & Co.* (1990) 223 Cal.App.3d 1429, 1436, fn. 4.) Defendant relied upon inapposite authority involving headless class actions and anti-SLAPP motions. The Court is concurrently holding that Plaintiff has adequately pleaded reliance. And the anti-SLAPP motion cases are distinguishable because the filing of an anti-SLAPP motion automatically stays discovery. (*Britts v. Superior Court* (2006) 145 Cal.App.4th 1112, 1124.)

Although Plaintiff's discovery is broad in scope, entirely staying class discovery is improper when at least part of the plaintiff's discovery appears to be proper. (See *Coriell v. Superior Court* (1974) 39 Cal.App.3d 487, 492-494.) But, Defendant moved for a stay of all class discovery, not a protective order to limit the breadth of Plaintiff's class discovery. (*Sale v. Railroad Commission* (1940) 15 Cal.2d 612, 617; see also *People v. Sandoval* (2015) 62 Cal.4th 394, 445 [quoting *Greenlaw v. United States* (2008) 554 U.S. 237, 244].) Further, Defendant did not provide any actual evidence that Plaintiff's discovery is burdensome in the form of "evidence showing the quantum of work required." (*West Pico Furniture Co. of Los Angeles v. Superior Court* (1961) 56 Cal.2d 407, 417.) Given the Court's ruling sustaining the demurrer as to Plaintiffs' class allegations with leave to amend, the proper scope of discovery will need to be the subject of further meet and confer discussion between the parties.

Dated: 06/20/2019

Facsimile  


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Judge Michael M. Markman



Superior Court of California, County of Alameda  
Rene C. Davidson Alameda County Courthouse


Case Number: RG18928028  
Order After Hearing Re: of 06/20/2019

**DECLARATION OF SERVICE BY MAIL**

I certify that I am not a party to this cause and that a true and correct copy of the foregoing document was mailed first class, postage prepaid, in a sealed envelope, addressed as shown on the foregoing document or on the attached, and that the mailing of the foregoing and execution of this certificate occurred at 1225 Fallon Street, Oakland, California.

Executed on 06/20/2019.

Chad Finke Executive Officer / Clerk of the Superior Court

By  Digital

Deputy Clerk