

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

TARLA MAKAEFF, et al., on Behalf  
of Herself and All Others Similarly  
Situated,

Plaintiffs,

v.

TRUMP UNIVERSITY, LLC, (aka  
Trump Entrepreneur Initiative) a New  
York Limited Liability Company,  
DONALD J. TRUMP, and DOES 1  
through 50, inclusive,

Defendants.

Case No. 10cv0940 GPC (WVG)

**ORDER:**

**(1) GRANTING DEFENDANTS  
TRUMP UNIVERSITY, LLC AND  
DONALD J. TRUMP’S EX PARTE  
MOTION TO DELAY ISSUANCE  
OF ANY RULING ON  
DEFENDANTS’ MOTIONS FOR  
SUMMARY JUDGMENT OR  
ADJUDICATION;**

[Dkt. No. 401.]

**(2) VACATING APRIL 3, 2015  
HEARING DATE;**

**(3) VACATING ALL OTHER PRE-  
TRIAL DATES**

On March 26, 2015, Defendants Trump University, LLC and Donald J. Trump filed their *Ex Parte* Motion to Delay Issuance of Any Ruling on Defendants’ Motions for Summary Judgment or Adjudication (“*Ex Parte* Motion”). (Dkt. No. 401.)

1 Defendants' *Ex Parte* Motion requests the Court delay issuance of its ruling on  
2 Defendants' Motions for Summary Judgment or Adjudication until after the Court  
3 either decertifies the Classes or approves a class notice and the notice is provided to  
4 the Classes and the "opt-out" period has expired. Defendants argue that otherwise they  
5 will be prejudiced based on "one-way intervention." *See Schwarzschild v. Tse*, 69 F.3d  
6 293, 295 (9th Cir. 1995); *Gessele v. Jack in Box, Inc.*, No. 10-cv-960-ST, 2012 WL  
7 3686274, at \*3 (D. Or. Aug. 24, 2012). The hearing on Defendants' Motions for  
8 Summary Judgment or Adjudication is currently set for April 3, 2015.  
9

10  
11 On March 27, 2015, Plaintiffs filed a response. (Dkt. No. 402.) Plaintiffs argue  
12 that it unnecessary to delay ruling on Defendants' Motions for Summary Judgment or  
13 Adjudication because the motions are limited to the named plaintiffs, and therefore do  
14 not affect the unnamed class members. (Dkt. No. 402 at 2-3.) In the alternative,  
15 Plaintiffs argue that if the Court decides to delay ruling on the Motions for Summary  
16 Judgment or Adjudication, it should also postpone the hearing set for April 3, 2015.  
17

18  
19 While Defendants' could have raised their concerns about "one-way  
20 intervention" earlier, after considering Defendants' *Ex Parte* Motion, and finding good  
21 cause therefore, the Court **GRANTS** Defendants' *Ex Parte* Motion. The Court also  
22 **GRANTS** Plaintiffs' request to postpone the hearing on Defendants' Motions for  
23 Summary Judgment or Adjudication. Finally, the Court **GRANTS** the Parties' joint  
24 request to vacate all other pre-trial dates – aside from the motions set for hearing on  
25 May 22, 2015 (Dkt. Nos. 380-81) – until after its ruling on Defendants' Motions for  
26 Summary Judgment or Adjudication. (Dkt. No. 402 at 6.)  
27  
28

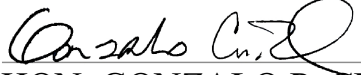
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, **IT IS HEREBY ORDERED:**

- (1) the Court **GRANTS** Defendants Trump University, LLC and Donald J. Trump's *Ex Parte* Motion to Delay Issuance of Any Ruling on Defendants' Motions for Summary Judgment or Adjudication (Dkt. No. 401);
- (2) the Court **VACATES** the hearing set for April 3, 2015, at 1:30 p.m. The Court will re-set the hearing as necessary;
- (3) the Court **VACATES** all other pre-trial dates (aside from the motions set for hearing on May 22, 2015). The Court will re-set the pre-trial dates as necessary.

**IT IS SO ORDERED.**

DATED: April 1, 2015

  
HON. GONZALO P. CURIEL  
United States District Judge