

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 13-5693 PSG (GJSx)	Date	September 19, 2016
Title	Flo & Eddie, Inc. v. Sirius XM Radio, Inc.		

Present: The Honorable	Philip S. Gutierrez, United States District Judge		
	Wendy Hernandez		Not Reported
	Deputy Clerk		Court Reporter
Attorneys Present for Plaintiff(s):		Attorneys Present for Defendant(s):	
Not Present		Not Present	

Proceedings (In Chambers): Order DENYING Defendant’s Motion for Decertification

Before the Court is Defendant Sirius XM Radio, Inc.’s (“Defendant”) motion for decertification. Dkt. # 352 (“Mot.”). The Court finds the matter appropriate for decision without oral argument. *See* Fed. R. Civ. P. 78(b); L.R. 7-15. Having considered the moving, opposing, and reply papers, the Court DENIES the motion.

On May 27, 2015, the Court granted Plaintiff Flo & Eddie, Inc.’s motion for class certification. Dkt. # 225. Defendant now seeks to unravel that ruling by arguing that issues concerning ownership, authorization and damages compel decertification. *Mot.* 1. In the words of Yogi Berra, “it’s déjà vu all over again.”¹ The Court addressed and rejected these exact arguments at the class certification stage and that analysis applies here again. *See* Dkt. # 225 at 15-23.

Defendant’s motion is DENIED.

IT IS SO ORDERED.

¹Yogi Berra, *WHAT TIME IS IT? YOU MEAN NOW?* 137 (2002).