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9 *Attorneys for Defendants Polaris Industries Inc.,*
Polaris Sales Inc., and Polaris Inc. (f/k/a Polaris
10 *Industries Inc.)*

11 *Additional counsel listed below*

12
13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA
15

16 PAUL GUZMAN, et al.,

17 Plaintiffs,

18 v.

19 POLARIS INDUSTRIES INC., et al.,

20 Defendants.

21 _____
22 MICHAEL HELLMAN, et al.,

23 Plaintiffs,

24 v.

25 POLARIS INDUSTRIES INC., et al.,

26 Defendants.
27
28

Case Nos.
8:19-cv-01543-FLA (KESx) (lead
case)
2:23-cv-07187-FLA (KESx)

**DEFENDANTS' NOTICE OF
MOTION AND MOTION FOR
PARTIAL RECONSIDERATION
AND FOR CLARIFICATION OF
ORDER GRANTING CLASS
CERTIFICATION IN PART**

Hon. Fernando L. Aenlle-Rocha
Date: August 30, 2024
Time: 1:30 p.m.
Place: Courtroom 6B

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on August 30, 2024, at 1:30 PM, which is the first
3 available date to be heard in Courtroom 6B of the above-entitled Court, located at 350
4 West 1st Street, Los Angeles, California 90012, Defendants Polaris Industries Inc.,
5 Polaris Sales Inc., and Polaris Inc. (f/k/a Polaris Industries Inc.) (collectively,
6 “Defendants”) will and hereby do move the Court for partial reconsideration and
7 clarification of its Order Granting In Part Plaintiff’s Motion For Class Certification
8 (*Hellman v. Polaris Indus. Inc.*, No. 2:23-cv-07187, Dkt. 150).

9 Specifically, Polaris requests that the Court (1) grant partial reconsideration and
10 narrow the scope of the *Berlanga* class to include only purchasers of RZR-branded
11 vehicles, as plaintiff requested, and (2) clarify the end date of the *Berlanga* class period,
12 which should be the date plaintiff filed his operative complaint, *i.e.*, July 14, 2021.

13 Defendants’ Motion is based on this Motion, Defendants’ Memorandum Of Points
14 And Authorities in support of the Motion, the Declaration of R. Allan Pixton attached
15 thereto, the pleadings, and any oral argument that may be presented at the hearing on this
16 matter.

17 This Motion is made following the conference of counsel pursuant to L.R. 7-3
18 which took place on July 17, 2024.

1 DATED: July 30, 2024

/s/ Andrew B. Bloomer
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