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16 **UNITED STATES DISTRICT COURT**
 17 **EASTERN DISTRICT OF CALIFORNIA**

18 TROY M. LINDELL, ON BEHALF OF HIMSELF
 19 AND ALL OTHERS SIMILARLY SITUATED,

20 Plaintiff,

21 vs.

22 SYNTHES USA, SYNTHES USA SALES LLC,
 23 SYNTHES SPINE COMPANY, LP,

24 Defendants.

Case No. 1:11-CV-02053-LJO-BAM

25 **STIPULATION AND ORDER RE:**
26 WITHDRAWAL OF PLAINTIFF'S
27 MOTION TO COMPEL

Date: February 20, 2015

Time: 9:00 a.m.

Courtroom 8

1 WHEREAS, on January 30, 2015, Plaintiff filed a Notice of Motion and Motion to Compel
2 Pursuant to Local Rule 251 (ECF No. 170) seeking an order (1) compelling Defendants to respond in
3 full to Requests for Production of Documents Nos. 1-3, which seek documents from Defendants
4 setting forth the expense, deduction, and compensation policies that have affected Synthes Sales
5 Consultants in California since 2007, and (2) compelling the appearance of Defendants' designated
6 representative(s) for a Rule 30(b)(6) deposition;

7 WHEREAS, on February 6, 2015, the parties stipulated to the Court's Informal Discovery
8 Dispute Resolution process;

9 WHEREAS, on February 6, 2015, the Court set a telephone conference call with the Court
10 for February 11, 2015, at 9:30 a.m., to address the pending discovery dispute;

11 WHEREAS, in meet and confer efforts the parties have resolved their current discovery
12 disputes, while reserving rights, objections, and arguments that may be presented to the parties and
13 to the Court in the future, by (1) the parties agreeing that the 30(b)(6) deposition shall take place on
14 February 25, 2015, and (2) Defendants producing additional policy documents, and confirming that
15 Defendants have now produced all policy documents setting forth the expense, deduction, and
16 compensation policies that have affected Synthes Sales Consultants in California since 2007;

17
18 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel on
19 behalf of the respective parties, that Plaintiff shall withdraw his pending Motion to Compel (ECF
20 No. 170), and the matter shall be taken off calendar.

21
22 DATED: February 11, 2015

BLANK ROME LLP

23 By: /s/ Anthony Haller

24 Anthony Haller
25 Attorneys for Defendants
SYNTHES USA, SYNTHES USA SALES LLC,
26 SYNTHES SPINE COMPANY, LP
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28

1 DATED: February 11, 2015

LEWIS, FEINBERG, LEE, RENAKER & JACKSON,
P.C.

2
3 By: /s/ Kirsten Scott

4 Kirsten Scott
Attorneys for Plaintiffs
5 TROY M. LINDELL AND MARK POPE and the
Proposed Class
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8 ORDER

9 IT IS SO ORDERED, pursuant to the parties' Stipulation, Plaintiff's Motion to Compel (ECF
10 No. 170) shall be taken off calendar.
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13 Dated: February 12, 2015

/s/ Barbara A. McAuliffe
14 UNITED STATES MAGISTRATE JUDGE
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