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 26 **FIDELITY BROKERAGE SERVICES LLC**

27 **UNITED STATES DISTRICT COURT**
 28 **EASTERN DISTRICT OF CALIFORNIA**
SACRAMENTO DIVISION

FIDELITY BROKERAGE SERVICES
 LLC, a limited liability company,
 Plaintiff,

CASE NO.: 2:12-cv-01608-MCE-CKD

v.

**STIPULATION TO STAY
 PROCEEDINGS PENDING FINRA
 ARBITRATION PROCEEDINGS;
 ORDER**

ERIC SAVELL, an individual,

Defendant.

IT IS HEREBY STIPULATED, by and between the parties, through their
 STIPULATION TO STAY PROCEEDINGS PENDING FINRA ARBITRATION PROCEEDINGS; ORDER
 (CASE NO. 2:12-cv-01608-MCE-CKD)

1 counsel as follows:

2 1. WHEREAS, Plaintiff Fidelity Brokerage Services LLC (“Plaintiff”)
3 filed this action on June 14, 2012 against Defendant Eric Savell (“Defendant”);

4 2. WHEREAS, Plaintiff initiated arbitration proceedings in FINRA
5 against Defendant on same day which addresses the same subject matter at issue in
6 this action;

7 3. WHEREAS the court ordered the parties to proceed to arbitration on
8 or about June 19, 2012;

9 4. WHEREAS, Plaintiff and Defendant are currently participating in
10 FINRA arbitration proceedings;

11 5. WHEREAS, the parties anticipate that the FINRA arbitration
12 proceedings is likely to resolve most, if not all, of the issues involved in this
13 action;

14 IT IS HEREBY STIPULATED TO AND BETWEEN THE PARTIES AS
15 FOLLOWS:

16 That this action be stayed pending the resolution of the FINRA arbitration
17 proceedings between the parties.

18

19 IT IS SO STIPULATED

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21 Dated: July 26, 2012

MARKUN ZUSMAN & COMPTON
LLP

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By: _____
EDWARD S. ZUSMAN
Attorneys for Defendant ERIC
SAVELL

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LOCKE LORD LLP

Dated: August 13, 2012

By: _____
KRISTA J. DUNZWEILER
JENNIFER A. KENEDY
Attorneys for Plaintiff FIDELITY
BROKERAGE SERVICES LLC.

IT IS SO ORDERED. The Clerk of the Court is directed to administratively close this Case, and the parties are ordered to file a Joint Status Report not later than ninety (90) days after the date on which this Order is electronically filed.

Dated: August 23, 2012



MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE