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17

18 UNITED STATES DISTRICT COURT

19 EASTERN DISTRICT OF CALIFORNIA

20 MARY BAYHI and ROBERT BURGER,

21 Plaintiffs,

22 v.

23 NOVARTIS PHARMACEUTICALS  
CORPORATION,

24 Defendant.  
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Case No. 2:14-cv-00885-TLN-DAD

**STIPULATION AND ORDER STAYING  
FURTHER PROCEEDINGS PENDING  
RULING ON SUMMARY JUDGMENT  
MOTION**

1 Pursuant to Local Rule 143(b), all parties hereby stipulate and seek an order as follows:

2 **RECITALS**

3 **WHEREAS**, defendant Novartis Pharmaceuticals Corporation (“Novartis”) filed a  
4 summary judgment motion on July 30, 2014. *See* Novartis’ Notice of Motion and Motion for  
5 Summary Judgment Based on Statute of Limitations (ECF No. 23).

6 **WHEREAS**, Novartis’ summary judgment motion, if granted, will dispose of all claims  
7 alleged in this lawsuit.

8 **WHEREAS**, Novartis’ summary judgment motion has been noticed for hearing on  
9 September 11, 2014.

10 **WHEREAS**, the Court previously directed the parties to confer about and submit a joint  
11 status report. *See* Order Requiring Joint Status Report (ECF No. 13).

12 **WHEREAS**, the parties agree that, in the interest of conserving resources, it is  
13 appropriate to stay all further proceedings in this lawsuit (including submitting a joint status  
14 report) – except for any hearing on Novartis’ pending summary judgment motion and any  
15 deadlines for further briefing on that motion – until the Court has ruled on that motion.

16 **STIPULATION**

17 **THEREFORE**, the parties hereby stipulate and request that the Court stay all further  
18 proceedings in this lawsuit (including submitting a joint status report) – except for any hearing on  
19 Novartis’ pending summary judgment motion and any deadlines for further briefing on that  
20 motion – until the Court has ruled on that motion.

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DATED: August 4, 2014

Respectfully submitted,

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Attorneys for Defendant Novartis Pharmaceuticals Corporation

**IT IS SO ORDERED.**

Dated: August 5, 2014

Troy L. Nunley  
United States District Judge