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15 Attorneys for Defendant  
 Rite Aid Corporation

17 UNITED STATES DISTRICT COURT  
 18 EASTERN DISTRICT OF CALIFORNIA

20 TOM BAUSER, an individual

21 Plaintiff,

23 vs.

24 RITE AID CORPORATION, and DOES 1  
 through 50, inclusive,

26 Defendants

No. 2:14-CV-01946 JAM-EFB

Related to Nos.

- 2:13-CV-02439 JAM-EFB;
- 2:14-CV-01957 JAM-EFB;
- 2:14-CV-01960 JAM-EFB;
- 2:14-CV-01961 JAM-EFB;
- 2:14-CV-01963 JAM-EFB;
- 2:14-CV-01965 JAM-EFB.

**STIPULATION TO STAY PROCEEDINGS  
 PENDING MEDIATION**

Judge: Hon. John A. Mendez

1 Plaintiff Tom Bauser and defendant Rite Aid Corporation (“Rite Aid”), acting through their  
2 respective counsel of record, hereby stipulate as follows:

3 1. On October 22, 2014, Rite Aid moved to stay this action pending the proceedings in  
4 *Romero v. Rite Aid Corp.*, U.S.D.C., C.D. Cal., No. CV 13-7720-MWF (JEMx) (“*Romero*”), a putative  
5 class action in which the plaintiff alleges that Rite Aid has misclassified salaried Store Managers in  
6 California as exempt from the overtime pay and related requirements of California law. Rite Aid moved  
7 to stay this action on the grounds, *inter alia*, that Rite Aid would suffer prejudice as a result of litigating  
8 *Romero*—a large putative class action that threatens to bring in the claims of every exempt Store  
9 Manager in California—while simultaneously litigating the merits of plaintiff’s individual claims here,  
10 particularly in light of the fact that plaintiff is a putative class member in *Romero* and that the plaintiff in  
11 *Romero* is represented by the same counsel who represent plaintiff here.

12 2. The hearing on Rite Aid’s motion to stay currently is set for November 19, 2014. Based  
13 on this hearing date, the deadline for plaintiff’s opposition to Rite Aid’s motion is November 5, 2014;  
14 Rite Aid’s reply in support of its motion must be filed by November 12, 2014.

15 3. Since Rite Aid filed its motion to stay, the parties have engaged in discussions regarding  
16 potential mediation of plaintiff’s claims and have agreed to mediate the claims on January 13, 2015.

17 4. Accordingly, the parties respectfully request that the Court: (1) vacate the November 19,  
18 2014, hearing on Rite Aid’s motion to stay; (2) stay all proceedings in this action until January 27, 2015;  
19 and (3) order the parties to file a status report within 21 days after the expiration of the stay.

20 5. By entering into this stipulation, the parties waive no position that they have taken or  
21 could have taken with respect to the appropriateness of a further stay of this action.

22 Dated: November 5, 2014.

MATTHEW RIGHETTI  
JOHN GLUGOSKI  
MICHAEL RIGHETTI  
RIGHETTI GLUGOSKI LLP

25 By: /s/ Michael Righetti

26 Michael Righetti  
Attorneys for Plaintiff Tom Bauser

1 Dated: November 5, 2014.

2 JEFFREY D. WOHL  
3 RISHI N. SHARMA  
4 PETER A. COOPER  
5 PAUL HASTINGS LLP

6 By: /s/ Peter A. Cooper

7 Peter A. Cooper  
8 Attorneys for Defendant Rite Aid Corporation  
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Rite Aid Corporation

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2:14-CV-01963 JAM-EFB;  
2:14-CV-01965 JAM-EFB.

**ORDER GRANTING STAY OF ALL  
PROCEEDINGS**

Judge: Hon. John A. Mendez

1 On the stipulation of the parties, and good cause appearing therefor,

2 IT IS ORDERED that the November 19, 2014, hearing on the motion to stay this action filed by  
3 defendant Rite Aid Corporation is VACATED.

4 IT IS FURTHER ORDERED that all proceedings in this action be and hereby are STAYED until  
5 January 27, 2015.

6 IT IS FURTHER ORDERED that the parties shall file an updated joint status report within 21  
7 days after expiration of the stay imposed by this Order.

8 Dated: November 5, 2014

9 /s/ John A. Mendez  
10 John A. Mendez  
11 United States District Court Judge  
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