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18 Attorneys for Defendant
 19 GENENTECH, INC.

20 UNITED STATES DISTRICT COURT
 21 EASTERN DISTRICT OF CALIFORNIA

22 TIMOTHY PRUITT,
 23 Plaintiff,
 24 v.
 25 GENENTECH, INC.; AND DOES 1
 26 THROUGH 10, INCLUSIVE,
 27 Defendants.

Case No. 2:17-CV-00822-JAM-AC

**JOINT STIPULATION AND ORDER
 STAYING ENFORCEMENT OF
 JUDGMENT PENDING APPEAL**

1 **STIPULATION**

2 Pursuant to Eastern District of California Local Rules 143, Plaintiff Timothy Pruitt and
3 Defendant Genentech, Inc., by their undersigned counsel, hereby stipulate as follows:

4 WHEREAS, the Court entered judgment on April 10, 2019 (Dkt. 164);

5 WHEREAS, Plaintiff filed a Notice of Appeal on May 9, 2019 (Dkt. 173);

6 WHEREAS, given Plaintiff’s appeal and potential changes to the judgment based thereon,
7 and to avoid unnecessary motion practice, the parties believe it is appropriate to stay enforcement
8 of the judgment pending Plaintiff’s appeal;

9 NOW, THEREFORE, the parties stipulate that the Court may enter an order as follows:

10 1. Enforcement of the judgment and any proceedings to enforce judgment, by
11 execution or otherwise, are stayed pending the issuance of the mandate of the U.S. Court of
12 Appeals for the Ninth Circuit of any appeal in this case.

13 2. Nothing in this Order is intended to diminish, reduce, or lessen any rights or
14 remedies to which any party may be entitled.

15 **IT IS SO STIPULATED.**

16 Dated: May 16, 2019

MCHENRY LAW FIRM

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18 By: /s/ Sean D. McHenry (as authorized on May 16, 2019)
19 SEAN D. MCHENRY

20 Attorneys for Plaintiff
21 TIMOTHY PRUITT

22 Dated: May 16, 2019

ORRICK, HERRINGTON & SUTCLIFFE LLP

23 By: /s/ Julie A. Totten
24 JULIE A. TOTTEN

25 Attorneys for Defendant
26 GENENTECH, INC.

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ORDER

IT IS SO ORDERED.

Dated: May 16, 2019

/s/ John A. Mendez
Hon. John A. Mendez

United States District Court Judge