

1 RONALD S. BUSHNER (SBN 98352)
ronald.bushner@wilsonelser.com
2 VICTORIA L. TALLMAN (SBN 273252)
victoria.tallman@wilsonelser.com
3 **WILSON, ELSER, MOSKOWITZ,**
EDELMAN & DICKER LLP
4 525 Market Street, 17th Floor
San Francisco, California 94105-2725
5 Telephone: (415) 433-0990
Facsimile: (415) 434-1370

6 Attorneys for Plaintiff and Counter-Claim
Defendant
7 NATIONAL SEATING & MOBILITY, INC.

C. BROOKS CUTTER (SBN 121407)
bcutter@kcrlegal.com
JOHN R. PARKER, JR. (SBN 257761)
jparker@kcrlegal.com
KERSHAW CUTTER & RATINOFF, LLP
401 Watt Avenue
Sacramento, California 95864
Telephone: (916) 448-9800
Facsimile: (916) 669-4499

MARK P. MEUSER (SBN 231335)
mark@meuser-law.com
MEUSER LAW GROUP, INC
P.O. Box 5412
Walnut Creek, California 94596
Telephone: (415) 577-2850
Facsimile: (925) 262-4656

Attorneys for Defendant and Counter-Claimant
MICHAEL PARRY

11 **UNITED STATES DISTRICT COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA**

13 NATIONAL SEATING & MOBILITY, INC.,

14 Plaintiff,

15 vs.

16 MICHAEL PARRY and DOES 1 through 20;
17 inclusive,

18 Defendants.

19 MICHAEL PARRY, individually and on behalf
of all others similarly situated,

20 Counter-Claimant,

21 vs.

22 NATIONAL SEATING & MOBILITY, INC.,

23 Counter-Claim Defendant.
24

Case No. 3:10-cv-02782-JSW

**PLAINTIFF AND COUNTER-CLAIM
DEFENDANT NATIONAL SEATING &
MOBILITY'S AND DEFENDANT AND
COUNTER-CLAIMANT MICHAEL
PARRY'S JOINT STATUS REPORT
AND ORDER THEREON**

Courtroom: 11, 19th Floor
Judge: The Hon. Jeffrey S. White

Action Filed: March 3, 2010

25 Pursuant to the Court's order, document 124 in the present matter, Plaintiff/Counterclaim
26 Defendant NATIONAL SEATING & MOBILITY, INC. ("NSM") and Defendant/Counter-Claimant
27 MICHAEL PARRY ("Parry") jointly submit this status report, and respectfully request and
28

1 recommend that no Case Management Conference will be necessary.

2 The parties have agreed to execute a bilateral release of all claims between NSM and Michael
3 Parry. While such release has not yet been executed, the parties agreed that the settlement reached in
4 this matter will be a global settlement and resolve all claims between NSM and Michael Parry, an
5 individual. The parties anticipate that this release will be executed without complication in the next
6 two weeks.

7 Dated: May 28, 2013

Respectfully submitted,

8 WILSON, ELSER, MOSKOWITZ, EDELMAN
9 & DICKER, LLP

10 By: /s/
11 Victoria L. Tallman
12 Ronald S. Bushner
13 *Attorneys for Plaintiff/Counter-Claim Defendant*

14 Dated: May 28, 2013

Respectfully submitted,

15 KERSHAW CUTTER & RATINOFF, LLP

16 By: /s/
17 C. Brooks Cutter
18 John R. Parker, Jr.
19 *Attorneys for Defendant/Counter-Claimant*

20 Dated: May 28, 2013

Respectfully submitted,

21 By: /s/
22 Mark P. Meuser
23 *Attorneys for Defendant/Counter-Claimant*

24 I, Victoria L. Tallman, hereby attest pursuant to General Order 45(X)(B) that concurrence in
25 the filing of this document has been obtained from each of the other signatories, or from the single
26 signatory (in the case, e.g., of a declaration) which shall serve in lieu of their signature(s) on the
27 document.
28


~~PROPOSED~~ STATUS REPORT ORDER

The parties have agreed to execute a bilateral release resolving all claims in this matter as between NSM and Michael Parry.

As such, the Court will not proceed with any further Case Management Conferences, and will ~~Order~~ Dismiss the claims and counter-claims between NSM and Michael Parry once ~~an executed Release is Filed with this Court, or, in the alternative, Order~~ the parties to file a Stipulation of Dismissal in accordance with FRCP Rule 41(a)(ii).

IT IS SO ORDERED:

Dated: May 28, 2013

By: 
THE HON. JEFFREY S. WHITE
UNITED STATES DISTRICT COURT JUDGE