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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY VEST, et al.,

Plaintiffs,

v.

ALLIED PACKING AND SUPPLY, INC., et
al.,

Defendants.

No. C 11-00061 JSW

**ORDER DENYING MOTION TO
LIFT STAY FOR LIMITED
PURPOSE**

This matter comes before the Court upon consideration of the Motion to Lift the Stay Entered on January 31, 2011 for the Limited Purpose of Obtaining Court Rulings on: (1) Petitions to Approve the Compromise of Minors' Claims; and (2) Plaintiffs' Administrative Motions to File the Petitions to Approve the Compromise of Minors' Claims and Related Documents Under Seal, filed by Plaintiffs Timothy and Caroline Vest ("Plaintiffs"). Defendants McDonnell Douglas Corporation ("MDC") and Henkel Corporation oppose the motion. The matter is now ripe, and the Court finds the matter suitable for disposition without oral argument. *See* N.D. Civ. L.R. 7-1(b).

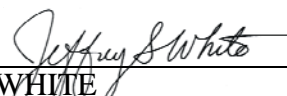
The Court has considered the parties' papers, relevant legal authority, and the record in this case. The Court has the discretion and the inherent power to lift the stay in this case. However, the Court entered the stay, because it determined that the jurisdictional issues raised by Plaintiffs' motion for remand were factually and legally difficult and had been raised in the MDL proceeding. Plaintiffs now ask this Court to lift the stay for purposes of approving a

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minors' compromise, but they do not concede this Court has jurisdiction to take such action. It also appears that the Judicial Panel on Multidistrict Litigation will issue decision on MDC's motion to transfer shortly. Accordingly, the Court declines to exercise its discretion to lift the stay, and Plaintiffs' motion is DENIED.

IT IS SO ORDERED.

Dated: March 4, 2011



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE