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FLUSHMATE, a division of  
SLOAN VALVE COMPANY, and  
GERBER PLUMBING FIXTURES, LLC

[Additional Counsel for the Parties listed on  
Signature Page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EMILY WILLIAMS, on behalf of herself and  
all others similarly situated,

Plaintiffs,

vs.

FLUSHMATE, a division of SLOAN VALVE  
COMPANY, a Delaware corporation,  
GERBER PLUMBING FIXTURES, LLC, a  
Delaware corporation, and DOES 1-10,  
inclusive

Defendants.

Case No. C-12-cv-004757-EMC

STIPULATION AND ~~PROPOSED~~  
ORDER RE LIMITED STAY OF  
PROCEEDINGS

Plaintiff Emily Williams (“Plaintiff”) and Defendants Flushmate, a division of Sloan  
Valve Company, and Gerber Plumbing Fixtures, LLC (collectively “Defendants”) hereby  
stipulate as follows:

WHEREAS, on September 12, 2012, Plaintiff originally filed this action;

1           WHEREAS, October 9, 2012 is the current initial deadline for Defendants to answer or  
2 otherwise respond to Plaintiff’s Class Action Complaint in this action;

3           WHEREAS, there are related actions pending in the Central District of California,  
4 *United Desert Charities, et al. v. Flushmate, et al.*, Case No. 12-cv-06878 SJO (SHx) (“UDC  
5 Action”), and in the Eastern District of California, *Ede v. Sloan Valve Company and Kohler Co.*,  
6 Case No. 1:12-CV-01391-LJO-DLB (“Ede Action”);

7           WHEREAS, on September 25, 2012, the parties met and conferred regarding Defendants  
8 Flushmate and American Standard’s contemplated motion to be filed on October 5, 2012 in the  
9 UDC Action, pursuant to 28 U.S.C. § 1404, to transfer the UDC Action to the United States  
10 District Court for the Eastern District of Michigan (the “Motion to Transfer”);

11           WHEREAS, on September 28, 2012, Plaintiff’s counsel advised Defendants’ counsel  
12 that they intended to file an amended complaint in the UDC Action on or before October 5,  
13 2012, to include all claims asserted by Plaintiff Emily Williams in the instant action and all  
14 claims asserted in the Ede Action;

15           WHEREAS, the parties stipulate and agree, subject to approval of the Court, that, in the  
16 interest of judicial economy, all other proceedings in this action shall be stayed until November  
17 12, 2012. If Plaintiff has not sought to dismiss this action without prejudice upon expiration of  
18 the stay on November 12, 2012, then Defendants shall have until November 26, 2012 within  
19 which to move to dismiss this action.

20           THEREFORE, Plaintiff and Defendants stipulate and agree and respectfully request this  
21 Court to stay all proceedings in this action until November 12, 2012. If Plaintiff has not sought  
22 to dismiss this action without prejudice upon expiration of the stay on November 12, 2012, then  
23 Defendants shall have until November 26, 2012 within which to move to dismiss this action.  
24 However, nothing herein shall foreclose a party from seeking relief from the stay on a showing  
25 of good cause.

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Dated: October 5, 2012

BIRKA-WHITE LAW OFFICES

By: /s/ David M. Birka-White  
David M. Birka-White

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Attorneys for Plaintiff  
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Dated: October 5, 2012

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Gerber Plumbing Fixtures, LLC

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**[PROPOSED] ORDER**

Pursuant to stipulation of the parties and for good cause shown,

IT IS SO ORDERED.

Dated: October 9, 2012



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Edward M. Chen  
United States District Judge