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DIGITAL REALTY TRUST, INC. and		
ELLEN JACOBS		
UNITED STATES DISTRICT COURT		
NORTHERN DISTRICT OF CALIFORNIA		
PAUL SOMERS, an individual,	Case No. 4:14-cv-05180-EMC	
Plaintiff,	STIPULATION FOR TEMPORARY STAY PENDING PETITION FOR WRIT	
v.	OF CERTIORARI PROCEEDINGS; [PROPOSED] ORDER	
DIGITAL REALTY TRUST, INC., a Maryland		
corporation, ELLEN JACOBS, and individual, and DOES ONE through TEN, inclusive,	Current Hearing Date on Motion to Stay	
	Date: May 4, 2017	
Defendants.	Time:1:30 p.m.Courtroom:5, 17th Floor	
	Judge: Hon. Edward M. Chen	
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STIPULATION FOR TEMPORARY STAY PENDING PET [PROPOSED]		
38447190v.1		
	Dockets.Ju:	

STIPULATION

Pursuant to Civil L.R. 7-12, Plaintiff PAUL SOMERS ("Plaintiff"), for himself, and Defendants DIGITAL REALTY TRUST, INC. ("Digital") and ELLEN JACOBS (collectively "Defendants"), by and through their undersigned counsel, hereby stipulate and agree as follows:

WHEREAS, on March 30, 2017, Digital filed a Motion for Temporary Stay Pending Petition for Writ of Certiorari Proceedings ("Motion"), requesting that the Court temporarily stay proceedings in this matter until the U.S. Supreme Court disposes of Digital's forthcoming petition for writ of certiorari, Dkt. No. 202;

WHEREAS, Plaintiff initially advised Digital that he opposed the requested stay, but has since retained the law firm of Stris & Maher LLP, a well-respected litigation boutique, to represent him in proceedings before the U.S. Supreme Court;

WHEREAS, Defendants have now agreed to further expedite the filing of their certioraripetition, and have also agreed to waive the 14-day waiting period for filing a petition-stage reply (see S.Ct. R. 15.5), thereby ensuring a timely distribution for the Justices' June 15 conference;

WHEREAS, Plaintiff now agrees that a short stay would promote his interests pending the Supreme Court's disposition of Digital's petition, and that such a stay would conserve the resources of the parties and the Court;

 THEREFORE, THE PARTIES HEREBY STIPULATE AND RESPECTFULLY

 REQUEST THAT THE COURT ORDER a temporary stay of district-court proceedings in this case

 pending the Supreme Court's disposition of Digital's petition for writ of certiorari, and that the hearing

 scheduled on Digital's Motion be taken off-calendar.

DATED:	April	5	2017
DAILD	April	\mathcal{I}	2017

SEYFARTH SHAW LLP

By: /s/ Brian T. Ashe Brian T. Ashe Kyle A. Petersen Kiran A. Seldon Shireen Y. Wetmore

Attorneys for Defendants DIGITAL REALTY TRUST and ELLEN JACOBS

STIPULATION FOR TEMPORARY STAY PENDING PETITION FOR WRIT OF CERTIORARI PROCEEDINGS; [PROPOSED] ORDER 38447190v.1

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1	DATED: April 5, 2017	By: /s/ Paul Somers		
2	2	Paul Somers		
3	3	Plaintiff, pro se		
4	4			
5	5 ATTESTATION PURSUAN	T TO LOCAL RULE 5-1(i)(3)		
6	I, Brian T. Ashe, attest that concurrence in the filing of this document has been obtained from the			
7	7 signatory Paul Somers.			
8	8 Executed this 5th day of April 2017 in San	Francisco, California.		
9	9			
10	.0	By: /s/ Brian T. Ashe		
11	.1			
12	2			
13				
14	4	ED] ORDER		
15	PURSUANT TO STIPULATION, IT IS SO ORDERED that the hearing on Defendant Digital Realty Trust, Inc.'s Motion for Temporary Stay Pending Petition for Writ of Certiorari Proceedings is hereby taken off-calendar, and that all district-court proceedings in this case shall be stayed pending the U.S. Supreme Court's disposition of Defendant Digital Realty Trust's forthcoming			
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19	9	to stay hearing is vacated. Further		
20	Status is set	for $6/22/17$ at 10:30 a.m. An updated		
21	Diffed. April <u>11</u> , 2017 Utilit Status F	Report shall be filed by 6/15/17. Honorable Edward M. Chen		
22	STES DIST	Rhote United States District Court		
23				
23	ST an OR	DERED		
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	7	A.M. Chen		
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28	28 DISTR	BCT ON		
	STIPULATION FOR TEMPORARY STAY PENDING PETITION FOR WRIT OF CERTIORARI PROCEEDINGS; [PROPOSED] ORDER			
	38447190v.1			
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