

1 SEYFARTH SHAW LLP  
 Brian T. Ashe (SBN 139999)  
 2 bashe@seyfarth.com  
 560 Mission Street, 31st Floor  
 3 San Francisco, California 94105  
 Telephone: (415) 397-2823  
 4 Facsimile: (415) 397-8549

5 SEYFARTH SHAW LLP  
 Kyle A. Petersen (ISBN 6275689) (admitted *Pro Hac Vice*)  
 6 kpetersen@seyfarth.com  
 131 South Dearborn Street, Suite 2400  
 7 Chicago, Illinois 60603  
 Telephone: (312) 460-5000  
 8 Facsimile: (312) 460-7000

9 SEYFARTH SHAW LLP  
 Daniel C. Kim (SBN 272680)  
 10 dckim@seyfarth.com  
 400 Capitol Mall, Suite 2350  
 11 Sacramento, California 95814  
 Telephone: (916) 448-0159  
 12 Facsimile: (916) 558-4839

STEPHEN F. HENRY, ESQ.  
 Stephen F. Henry (SBN 142336)  
 shenry@SHenrylaw.com  
 2625 Alcatraz Avenue, #615  
 Berkeley, California 94705  
 Telephone: (510) 898-1883  
 Facsimile: (510) 295-2516

13 Attorneys for Defendants  
 DIGITAL REALTY TRUST, INC.  
 14 and ELLEN JACOBS

Attorneys for Plaintiff  
 PAUL SOMERS

15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA

17 PAUL SOMERS, an individual,  
 18 Plaintiff,

19 v.

20 DIGITAL REALTY TRUST, INC., a Maryland  
 corporation; ELLEN JACOBS, an individual, and  
 21 DOES ONE through TEN, inclusive,  
 22 Defendants.

Case No. 3:14-cv-05180 EMC

**STIPULATION TO STAY DISCOVERY;  
 [PROPOSED] ORDER**

23 Plaintiff PAUL SOMERS (“Plaintiff”) and Defendants DIGITAL REALTY TRUST, INC.  
 24 (“Digital”) and ELLEN JACOBS (collectively, “Defendants”), by and through their respective attorneys  
 25 (the “Parties”), hereby submit the following Stipulated Request:  
 26  
 27  
 28

1           1.       The Parties stipulate that a discovery stay shall go into effect until the Court issues an  
2 Order regarding Digital's Motion to Dismiss (Dock. No. 20) set for hearing on April 30, 2015 at 1:30  
3 p.m.

4           2.       The Parties further stipulate that good cause exists for this stay on discovery since an  
5 order granting Digital's Motion to Dismiss Plaintiff's second cause of action for Whistleblower claims  
6 will materially change the factual issues requiring discovery.

7           3.       The Parties further stipulate that no undue prejudice will be suffered by either party as a  
8 result of the proposed discovery stay.

9           This stipulation is executed and filed pursuant to Local Rule 6-1(a). No prior discovery stays  
10 have been agreed upon.

11           SO STIPULATED.

12           DATED: March 31, 2015

Respectfully submitted,  
SEYFARTH SHAW LLP

15           By: /s/ Brian T. Ashe  
16                 Brian T. Ashe  
17                 Kyle A. Petersen (admitted *pro hac vice*)  
18                 Daniel C. Kim

19           Attorneys for Defendant  
20           DIGITAL REALTY TRUST  
21           and ELLEN JACOBS

22           DATED: March 27, 2015

STEPHEN F. HENRY, ESQ.

23           By: /s/ Stephen F. Henry  
24                 Stephen F. Henry

25           Attorneys for Plaintiff  
26           PAUL SOMERSON

27           It is so ORDERED.

28           Dated:        April 6, 2015  
                  \_\_\_\_\_

Hon. Edward M. Chen

