

United States District Court
For the Northern District of California

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

COBALT PARTNERS, LP, COBALT PARTNERS II, LP, COBALT OFFSHORE MASTER FUND, LP AND COBALT KC PARTNERS, LP,

Plaintiffs,

v.

SUNEDISON, INC., AHMAD CHATILA, BRIAN WUEBBELS, MARTIN TRUONG, ALEJANDRO HERNANDEZ, EMMANUEL HERNANDEZ, ANTONIO R. ALVAREZ, PETER BLACKMORE, CLAYTON DALEY JR., GEORGANNE PROCTOR, STEVEN TESORIERE, JAMES B. WILLIAMS, RANDY H. ZWIRN, GOLDMAN, SACHS & CO., J.P. MORGAN SECURITIES LLC, MORGAN STANLEY & CO. LLC, MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED, DEUTSCHE BANK SECURITIES INC., MACQUARIE CAPITAL (USA), INC., MCS CAPITAL MARKETS LLC and DOES 1- 25, inclusive,

Defendants.

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AND RELATED CASES.

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No. C 16-02263 WHA

Related Cases:

- No. 16-cv-02264-WHA
- No. 16-cv-02265-WHA
- No. 16-cv-02268-WHA
- No. 16-cv-04883-WHA

REQUEST FOR RESPONSE REGARDING COORDINATION OF CASES

On August 26, 2016, an order denied motions to remand as to four of the related cases and certified an issue for interlocutory review under 28 U.S.C. 1292 (*see* Case No. 16-02265, Dkt. No. 73). Plaintiffs in *Cobalt*, *Glenview*, and *Omega* subsequently filed petitions for


1 interlocutory review pursuant 28 U.S.C. 1292. Plaintiffs in the *Bloom* class action did not file a
2 petition for interlocutory review.

3 On September 7, 2016, an order related a fifth action, *Bloom II* (Case No.
4 16-cv-04883-WHA) to these actions.

5 This order requests responses from the parties regarding the following question: to what
6 extent should the *Bloom* class action (Case No. C 16-02265 WHA) and the newly-related class
7 action (Case No. 16-cv-04883-WHA), *Bloom II*, be stayed pending such time as our court of
8 appeals acts upon the pending petitions for interlocutory review? **BY SEPTEMBER 13, 2016 AT**
9 **NOON**, the parties may submit briefs of no more than five pages responding to this question.
10 The Court asks the parties to consolidate briefs where appropriate and avoid submitting
11 duplicative briefs.

12
13 **IT IS SO ORDERED.**

14
15 Dated: September 9, 2016.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE