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7 Attorneys for Specially Appearing Defendant
8 WATTS PLUMBING TECHNOLOGIES
(TAIZHOU) CO., LTD.
9

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **OAKLAND COURTHOUSE**
13

14 JASON TRABAKOOLAS and SHEILA
STETSON, individually and on behalf of all
15 others similarly situated,

16 Plaintiffs,

17 v.

18 WATTS WATER TECHNOLOGIES, INC.,
WATTS REGULATOR CO., WATTS
19 ANDERSON-BARROWS METAL CORP.,
WATTS PLUMBING TECHNOLOGIES
20 (TAIZHO) CO., LTD., SAVARD PLUMING
COMPANY, WOLVERINE BRASS, INC.,
21 AND JOHN DOES 1-100.

22 Defendants.
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Case No.: 4:12-cv-01172-YGR

**STIPULATION AND ~~PROPOSED~~
ORDER RE TERMS OF DISMISSAL
OF TAIZHOU AND WITHDRAWAL
OF MOTION TO DISMISS FOR LACK
OF PERSONAL JURISDICTION**

Date: September 25, 2012
Time: 2:00 p.m.
Courtroom: Oakland Courthouse

Honorable Yvonne Gonzalez Rogers

1 WHEREAS, Defendant Watts Plumbing Technologies (Taizhou) Co., Ltd.
2 (“Taizhou”) filed a motion to dismiss for lack of personal jurisdiction; and

3 WHEREAS, the Court held a hearing on September 25, 2012 on said motion and
4 ordered additional briefing on the issue of specific jurisdiction on October 2, 2012; and

5 WHEREAS, the parties seek to resolve this dispute.

6 NOW THEREFORE, it is hereby stipulated and agreed that:

7 1. Taizhou will, and hereby does, withdraw its motion to dismiss for lack of
8 personal jurisdiction without prejudice.

9 2. Plaintiffs will, and hereby do, dismiss Taizhou as a defendant without
10 prejudice.

11 3. The Parties agree that any statute of limitations with respect to Taizhou will be
12 tolled until 30 days after the conclusion of this litigation with respect to the other defendants.

13 4. Watts Regulator will respond to Plaintiffs’ further document requests and
14 interrogatories directed to Watts Regulator by searching for and producing responsive
15 documents concerning Taizhou without objecting on the grounds that the documents and
16 information are not in the “possession, custody or control” of Watts Regulator. Taizhou
17 documents produced by Watts Regulator shall be deemed authentic documents of Taizhou.

18 5. Defendants will reserve the right to raise all other objections to Plaintiffs’
19 written discovery with respect to Taizhou.

20 6. The Parties agree that any issues with respect to Plaintiffs’ deposition
21 discovery of Taizhou will be deferred and discussed in the future in the event Plaintiffs seek
22 to take depositions of any Taizhou employees.

23 7. In the absence of a separate agreement between the parties, Plaintiffs reserve
24 the right to request the Court to allow such a deposition. However, in connection with any
25 such request for a deposition, Taizhou shall be considered a non-party, and the Court shall
26 not consider the request as if Taizhou were a party to this action. This Stipulation shall not
27 be construed as an agreement that a deposition of Taizhou or any Taizhou employee may be
28 taken as if Taizhou were a party.

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2 8. Plaintiffs shall not contend that this Stipulation or any conduct pursuant to it
3 constitutes a waiver of Taizhou's objections to personal jurisdiction in this action, and this
4 Stipulation and any conduct pursuant to it shall not be construed as such a waiver.

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6 Dated: October 8, 2012

ALSTON + BIRD LLP

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9 David S. MacCuish
10 Attorneys for WATTS PLUMBING TECHNOLOGIES
11 (TAIZHOU) CO., LTD.

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13 Dated: October 8, 2012

**SALTZ, MONGELUZZI, BARRETT &
BENDESKYK, P.C.**

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15 _____
16 Simon Bahne Paris
17 Attorneys for Plaintiffs

18 **ORDER**

19 Pursuant to the above Stipulation, **IT IS SO ORDERED.** This Order terminates Dkt.
20 Nos. 72 & 91. Defendant Watts Plumbing Technologies (Taizhou) Co., Ltd. is hereby
21 **DISMISSED WITHOUT PREJUDICE** pursuant to the Stipulation.

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23 DATED: October 9, 2012

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26 YVONNE GONZALEZ ROGERS
27 UNITED STATES DISTRICT COURT JUDGE
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