

1 UNITED STATES DISTRICT COURT
 2 NORTHERN DISTRICT OF CALIFORNIA

3
 4 **HARRY D. WITTHAUER *et al.*,**
 5 **Plaintiff(s),**
 6 **vs.**
 7 **MCKESSON CORPORATION *et al.*,**
 8 **Defendant(s).**

Case No.: 12-CV-05937 YGR
**ORDER STAYING ACTION PENDING
 RESOLUTION OF APPEALS**

9
 10 For the reasons stated at the March 11, 2013 Case Management Conference, this action is
 11 **STAYED** pending resolution of the appellate proceedings in the remanded cases with which this action
 12 was removed pursuant to the “mass action” provision of 28 U.S.C. § 1332(d). The Court sets this
 13 matter for a Compliance Hearing every three months, with the first such hearing having been set on
 14 Friday, June 14, 2013 at 9:01 a.m. Five (5) business days prior to the date of the Compliance
 15 Hearing, Plaintiffs must file a Statement updating the Court on the status of the appellate proceedings.
 16 If the Statement has been timely filed, no appearance will be required and the Compliance Hearing
 17 will be taken off calendar. Telephonic appearances will be allowed if the statement has been
 18 submitted in a timely fashion and the Court deems the hearing necessary. Failure to do so may result
 19 in sanctions.

20 In addition, Plaintiffs shall file a notice of ruling when the Ninth Circuit has issued a ruling
 21 that terminates the appeal. Failure to file the Statement, appear at the Compliance Hearing, or file a
 22 notice that the Ninth Circuit has terminated the appeal may result in sanctions, including monetary
 23 sanctions or dismissal.

24 **IT IS SO ORDERED.**

25 Dated: April 4, 2013

26 
 27 YVONNE GONZALEZ ROGERS
 28 UNITED STATES DISTRICT COURT JUDGE

United States District Court
 Northern District of California