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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

BENJAMIN HAYNES, Plaintiff, v. NORDSTROM, INC., and RICK TURPIN, Defendants.	Case No.: 11-CV-3950-LHK ORDER DENYING STAY OF ACTION AND RECOMMENDING STIPULATION OF DISMISSAL

On January 17, 2012, the parties filed a stipulation to stay this action pending final and binding arbitration. The Court DENIES the requested stay and asks the parties to consider stipulating to a dismissal without prejudice and to the tolling of the statute of limitations for any claims and counterclaims. *See, e.g., O'Keeffe's Inc. v. Technical Glass Prods.*, 5:07-CV-03535-LHK, ECF No. 154. If the parties file a stipulation of dismissal by 12:00 p.m. on January 18, 2012, the Court will vacate the Case Management Conference set for 2:00 p.m. on January 18, 2012.

IT IS SO ORDERED.

Dated: January 17, 2012

Lucy H. Koh

LUCY H. KOH
United States District Judge

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