

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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MICHAEL BURKE,		)	
		)	
<u>Plaintiff,</u>		)	
		)	
v.		)	Civil Action No. 09-10797-NMG
		)	
TECHTRONIC INDUSTRIES		)	
CO., LTD., et al.,		)	
		)	
<u>Defendants.</u>		)	
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JORDAN B. CHATTERTON,		)	
		)	
<u>Plaintiff,</u>		)	
		)	
v.		)	Civil Action No. 09-10922-NMG
		)	
TECHTRONIC INDUSTRIES		)	
CO., LTD., et al.,		)	
		)	
<u>Defendants.</u>		)	
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ORDER ON JOINT MOTION TO HOLD ORDER IN ABEYANCE

August 18, 2011

SOROKIN, M.J.

Pending before the Court are identical motions to dismiss filed by Techtronic Industries Co., Ltd in each of the captioned actions. Civil Action No. 09-10797, Docket # 21; Civil Action No. 09-10922, Docket # 22. By Joint Motion, the parties have asked the Court to continue the September 6, 2011 hearing on these motions and to hold the motions in abeyance because the parties are engaged in jurisdictional discovery regarding the jurisdictional issue presented by these motions in a similar case pending in federal court in California which presents the

substantively-identical motion. Civil Action No. 09-10797, Docket # 34; Civil Action No. 09-10922, Docket # 35.

The Joint Motion is ALLOWED as follows: (1) The clerk shall administratively terminate the pending motions to dismiss in each of the captioned cases; (2) by November 9, 2011 (fourteen days after the close of jurisdictional discovery in the California case), Defendant Techtronic Industries Co., Inc. shall either answer the pending Complaints, or, shall file a renewed motion to dismiss (or, in the alternative for summary judgment); (3) The Plaintiffs' responses to any motion filed shall be due on November 23, 2011.

SO ORDERED.

/s / Leo T. Sorokin  
UNITED STATES MAGISTRATE JUDGE