

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PERRIGO COMPANY, et al.,

Plaintiffs,

vs.

MERIAL LIMITED, doing business as  
MERIAL LLC, and MERIAL SAS,

Defendants.

8:14-CV-403

ORDER

This matter is before the Court on the plaintiffs' Motion for Stay of Court's June 12, 2015 Order (filing [115](#)). That motion will be granted in part.

The plaintiffs have until June 29, 2015, to object to the Magistrate Judge's June 12 order granting the defendants' motion for change of venue. NECivR [72.2\(a\)](#); NECivR [6.1\(a\)](#). Accordingly, it is appropriate to grant the plaintiffs' motion to stay to that extent: the Court will not transfer the case before the plaintiffs have had an opportunity to object, and the Court has considered any objection. And, depending upon how the Court rules on any objection, the Court will afford the plaintiffs enough time to petition the Eighth Circuit for a writ of mandamus.<sup>1</sup> See *In re Nine Mile Ltd.*, 673 F.2d 242, 243 (8th Cir. 1982). The Court will also, depending on its resolution of the venue issue, address the disposition of the defendant's still-pending motion to certify an interlocutory appeal (filing [108](#)).

IT IS ORDERED:

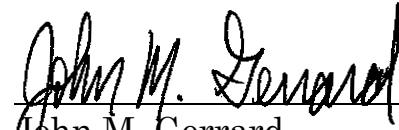
1. The plaintiffs' Motion for Stay of Court's June 12, 2015 Order (filing [115](#)) is granted in part.
2. Transfer of this case to the Northern District of Georgia will be stayed pending the Court's disposition of objections, if any, to the Magistrate Judge's transfer order.

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<sup>1</sup> An interlocutory order granting a change of venue is generally not appealable, but mandamus may be available in "really extraordinary situations." *Emerson Elec. Co. v. Black & Decker Mfg. Co.*, 606 F.2d 234, 237 (8th Cir. 1979); see, *Nixon v. Coeur D'Alene Tribe*, 164 F.3d 1102, 1107 (8th Cir. 1999); *United States Fire Ins. Co. v. Am. Family Life Assurance Co.*, 787 F.2d 438, 439 (8th Cir. 1986).

Dated this 26th day of June, 2015.

BY THE COURT:

A handwritten signature in black ink, reading "John M. Gerrard". The signature is written in a cursive style with a large, stylized "J" and "G".

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John M. Gerrard  
United States District Judge