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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHARLESTON AND JONES, LLC, *et al.*,
Plaintiffs,
v.
UPONOR, INC., *et al.*,
Defendants.

Case No. 2:11-CV-01637-KJD-GWF
ORDER

Before the Court is the Motion for Stay (#38) filed by Defendants Uponor, Inc. and Uponor North America, Inc. (Collectively "Uponor Defendants"). Defendants Vanguard Piping Systems Inc., Viega, LLC, Viega, Inc., and Viega NA, Inc. (Collectively "Vanguard Defendants") filed a response. Plaintiff Charleston and Jones, LLC and Copper Creek II, LLC filed a notice of non-opposition (#45).

The Uponor Defendants moved for a stay of this action pending: 1) a ruling on a Motion to Transfer before the United States Judicial Panel on Multidistrict Litigation; and, 2) resolution of an appeal in Ninth Circuit Case No. 10-15439, which addresses issues pertinent to this case. Similar cases pending in this District have been stayed pending the outcome of the MDL Panel decision and the appeal.

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Plaintiffs did not oppose the Motion. The Vanguard Defendants requested that the stay be limited so that the Court could rule on the pending Motion to Sever Claims (#32). No party has objected to this request. The MDL Panel denied the request to transfer (#53) on February 9, 2012. However, Case No. 10-15439 is still pending before the Ninth Circuit.

Accordingly, **IT IS HEREBY ORDERED** that this action is **STAYED** pending the opinion and mandate in Ninth Circuit Case No. 10-15439, except as to the pending Motion to Sever Claims (#32).

DATED this 27th day of February 2012.



Kent J. Dawson
United States District Judge