

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

CIVIL ACTION FILE NO. 5:14-cv-00124-RLV-DSC

BEOCARE GROUP, INC. AND )
BEOCARE, INC., )
Plaintiffs )

v. )

MICHAEL J. MORRISSEY (individually )
and in his capacity as Manager and/or )
Managing Member of EM International, )
LLC, EM Medical, LLC, MB Health )
Performance, LLC, and MB Health, LLC), )
MEDICAL KNITTED STRUCTURES, )
INC., GARRETT COOPER (individually )
and in his capacity as Vice-President of )
Medical Knitted Structures, Inc.), EM )
INTERNATIONAL, LLC, EM )
MEDICAL, LLC, SUZANNE SERL )
(individually and in her capacity as )
Manager of EM Medical, LLC), MB )
HEALTH PERFORMANCE, LLC, MB )
HEALTH, LLC, WILLIAM SMITH, )
ALLIANCE LABS, LLC, AMY )
POWERS VALENTINE (individually and )
in her capacity as Manager and Member )
of Alliance Labs, LLC) STEVEN )
VALENTINE, PHARMACEUTICAL )
SALES SOLUTIONS, LLC, ROBERT )
THOMAS (individually and in his )
capacity as Manager and Member of )
Pharmaceutical Sales Solutions, LLC)

Defendants.

ORDER EXTENDING STAY AS TO
DEFENDANTS MICHAEL J. MORRISSEY,
"MB HEALTH PERFORMANCE, LLC" AND
"MB HEALTH, LLC"; ORDER GRANTING
STAY AS TO CO-DEFENDANTS SUZANNE
SERL, EM MEDICAL, LLC AND WILLIAM
SMITH

THIS CAUSE comes before the Court upon the joint Motion of Plaintiffs and Defendants
Michael J. Morrissey, MB Health, LLC, MB Health Performance, LLC, Suzanne Serl, EM
Medical, LLC and William Smith (the "Parties") for an order (i) extending the stay in this action
that was entered on or about August 21, 2014, as to the proceedings and deadlines pertaining to

Plaintiffs and Defendants Michael J. Morrissey, MB Health Performance, LLC and MB Health, LLC, and (ii) staying this action and all proceedings and deadlines arising herein insofar as such action, proceedings and deadlines pertain to Defendants Suzanne Serl, EM Medical, LLC and William Smith;

AND IT APPEARING that the Moving Parties have filed numerous pending Motions for relief; that the continued prosecution and defense of this action by the Moving Parties with respect to one another would require the Moving Parties to incur further considerable legal expenses, and would require a substantial expenditure of this Court's time and attention; that the Moving Parties have been involved in good faith efforts to settle this action among themselves and that it would be in the best interests of the Moving Parties and this Court that the Motion be granted;

IT IS, THEREFORE, ORDERED that:

(i) the stay of this action and all proceedings and deadlines arising herein, insofar as such action, proceedings and deadlines pertain to (a) Plaintiffs' claims and applications for relief pertaining to Defendants Michael J. Morrissey, MB Health, LLC and MB Health Performance, LLC or (b) the claims and applications for relief of Defendants Michael J. Morrissey, MB Health, LLC and MB Health Performance, LLC that pertain to Plaintiffs, BE AND HEREBY ARE EXTENDED for ten (10) days, through and including **Thursday, October 2, 2014;**

(ii) this action and all proceedings and deadlines arising herein, insofar as such action, proceedings and deadlines pertain to Defendants EM Medical, LLC and Suzanne Serl, BE AND HEREBY ARE STAYED for thirty-two (32) and thirty (30) days respectively, through and including **Friday, October 24, 2014;** and

(iii) this action and all proceedings and deadlines arising herein, insofar as such action, proceedings and deadlines pertain to Defendant William Smith, BE AND HEREBY ARE STAYED for twenty-five (25) days, through and including **Friday, October 24, 2014**.

It is THEREFORE, ORDERED that the Joint Motion to Extend Stay as to Defendants Michael J. Morrissey, MB Health, LLC and MB Health Performance, LLC, and that the Joint Motion to Stay as to Co-Defendants Suzanne Serl, EM Medical, LLC and William Smith are hereby GRANTED.

**SO ORDERED.**

Signed: September 23, 2014

A handwritten signature in cursive script, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer  
United States Magistrate Judge

