

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE**

ERICH MROZ on behalf of himself and all
others similarly situated,

Plaintiff,

Case No. 3:08-CV-00418

v.

Phillips/Shirley

ANDERSON MERCHANDISER L.P.,

Defendant.

ORDER STAYING ALL PROCEEDINGS

The Court has been informed by counsel to the parties that the parties have reached a settlement in principle and are currently working on memorializing all materials terms of settlement in a formal settlement agreement which contemplates filing a joint motion for: (i) preliminary approval of the settlement; (ii) certification of a proposed settlement class for settlement purposes only; and (iii) notification of members of the proposed settlement class of the terms and conditions of the proposed class-wide settlement. Additionally, the parties have conditioned their settlement on the Court's final approval of the parties' agreed settlement, which will require the scheduling of a final fairness hearing with the Court where the Court may consider the proposed settlement terms, approve the settlement agreement and approve the dismissal of the case with prejudice.

Accordingly, it is hereby ORDERED that all proceedings in this matter, including pretrial deadlines and the trial date, are STAYED to allow the parties to finalize their settlement agreement, file the necessary motions for approval of the settlement with the Court, and to allow the Court to

schedule a final fairness hearing to approve the parties' proposed settlement. The parties are directed to file their joint motion for preliminary approval of their settlement agreement, including any supporting documentation, on or before September 10, 2010.

SO ORDERED this 23rd day of August, 2010.

Thomas H. Phillip

JUDGE, UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE