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THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RICHARD J. KLEIN,

Plaintiff,

v.

GREGORY DEMOPULOS, an individual,  
and OMEROS CORPORATION, a  
Washington Corporation,

Defendants.

Case No. C09-1342-JCC

ORDER

This matter comes before the Court on Plaintiff's motion for stay, for continuance of trial, and for leave to amend (Dkt. No. 178), Defendants' response (Dkt. No. 184), and Plaintiff's reply. Plaintiff requests that the complaint be amended to include a *qui tam* action and that the case be stayed to allow the government to intervene.

The Court shares Defendants' concerns about unnecessary complication of the issues in this case. Ultimately, however, the Court has determined that the jury must be afforded the fullest possible opportunity to consider whether Omeros defrauded the government and

ORDER  
PAGE - 1

1 whether this alleged fraud contributed to Klein's discharge. This goal is best accomplished in  
2 one single proceeding with all parties involved.

3 Plaintiff's motion for stay and for leave to amend is GRANTED. (Dkt. No. 178.) This  
4 case is ORDERED STAYED while the government's decision on intervention is pending. The  
5 Current trial date of January 10, 2011 is VACATED until the stay is lifted and the National  
6 Institutes of Health reaches a decision on the depositions of Dr. Grabb and Ms. Dean. At that  
7 time, the Court will schedule a status conference to set case management deadlines.

8 The parties' motions to seal are GRANTED. (Dkt. Nos. 170, 177, 183 & 187.)  
9 Defendants' motion to set deadline for remaining fact witness depositions is DENIED. (Dkt.  
10 No. 164.) Defendants' motion for summary judgment is STRICKEN subject to renoting after  
11 the stay is lifted. (Dkt. No. 161.)

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13 DATED this 8th day of December, 2010.

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17 John C. Coughenour  
18 UNITED STATES DISTRICT JUDGE  
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