

1 THE HONORABLE BARBARA J. ROTHSTEIN

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON

8 SHEILA HAMILTON-BYNUM on behalf of
9 herself and all others similarly situated,

10 Plaintiff,

11 v.

12 T-MOBILE USA, INC.,

13 Defendant.

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No. 2:21-cv-01190-BJR

**STIPULATED MOTION AND ORDER
TO STAY PROCEEDINGS PENDING
THE JPML'S RULING ON TRANSFER**

STIPULATED MOTION AND ORDER
TO STAY PROCEEDINGS
(No. 2:21-cv-01190-BJR) - 1

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Pursuant to Western District of Washington Local Rules 7(d)(1) and 10(g), Plaintiff Sheila Hamilton-Bynum and Defendant T-Mobile USA, Inc. (together, “the Parties”), hereby stipulate to stay all proceedings and deadlines in this action until the Judicial Panel on Multidistrict Litigation (“JPML”) rules on the pending motion to transfer under 28 U.S.C. § 1407 (“MDL Petition”). *See In re: T-Mobile Customer Data Sec. Breach Litig.*, MDL No. 3019 (ECF No. 1). In support of this stipulated motion, the Parties state:

Good cause exists for a brief stay as it will conserve judicial and party resources. In a related case, this Court recently granted T-Mobile’s motion to stay proceedings pending the JPML’s ruling on the MDL Petition, finding:

Any delay arising from a stay is likely to be short, and Plaintiffs have not demonstrated that any significant prejudice would result from a short stay. A stay is also likely to conserve judicial resources, as well as the parties’ resources, until the JPML decides whether (and if so, where) to transfer the dozens of similar cases for coordinated or consolidated pretrial proceedings.

Daruwalla v. T-Mobile USA, Inc., No. 2:21-cv-1118-BJR (W.D. Wash. Oct. 29, 2021) (ECF No. 39).¹ The Parties therefore respectfully request that the Court enter a short stay of all proceedings here until the JPML rules on the MDL Petition.

Dated: November 16, 2021

¹ *See also Harper v. T-Mobile US, Inc.*, No. 2:21-cv-1169-BJR (W.D. Wash. Nov. 5, 2021) (ECF No. 26) (granting stay over opposition on same grounds); *Simaan v. T-Mobile USA, Inc.*, No. 2:21-cv-1181-BJR (W.D. Wash. Nov. 5, 2021) (ECF No. 21) (same); *Thang v. T-Mobile US, Inc.*, No. 5:21-cv-6473-BLF (N.D. Cal. Oct. 29, 2021) (ECF No. 42) (same).

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ORDER

IT IS SO ORDERED.

Dated this 17th day of November 2021.

s/Barbara J. Rothstein
Barbara J. Rothstein
U.S. District Court Judge

Presented by:

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