

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CHRISTOPHER NELSON, on behalf of
Himself and all others similarly situated,

Plaintiff,

v.

WALGREEN CO., an Illinois corporation,

Defendant

C.A. No. 13-1871-GMS

STIPULATION AND [PROPOSED] ORDER TO STAY ACTION

Plaintiff Christopher Nelson and Defendant Walgreen, Co. (together, the “Parties”), by and through their undersigned counsel, hereby stipulate, subject to the approval of the Court, to stay this action pending the outcome of settlement proceedings in *Quinn v. Walgreen Co.*, No. 12cv8187 (S.D.N.Y.) that will resolve this action as well. The Parties respectfully submit that the stipulation should be approved and this action should be stayed for the following reasons:

1. The Parties have agreed to a global settlement in this matter, and the motion for preliminary approval of that settlement was submitted to the Honorable Vincent L. Briccetti in the Southern District of New York on July 16, 2014 (before whom three earlier-filed cases are pending that are also part of the settlement). The hearing on that motion for preliminary approval is scheduled for August 1, 2014.

2. As part of the settlement, the parties to the settlement agreed to jointly move for a stay or administrative closure of all proceedings that are part of the settlement (including this matter) and a stay of all proceedings in *Quinn* other than proceedings to consider approval of the Settlement.

3. On May 9, 2014, prior to reaching the global settlement outlined above, Defendant filed a motion pursuant to 28 U.S.C. § 1407 before the Judicial Panel on Multidistrict

Litigation to transfer the eight proceedings that are part of the settlement (including this matter) to the Southern District of New York (the "Motion to Transfer") in the interests of efficiency and judicial economy. Dkt. No. 19. On July 16, 2014, after the parties in all eight actions agreed to a global settlement, Defendant filed a Notice of Withdrawal of the Motion to Transfer, which was granted by the Judicial Panel on Multidistrict Litigation on July 17, 2014. *See* Order Deeming Motion Withdrawn And Vacating The July 31, 2014 Hearing Session Order, *In re Perrigo-Manufactured Glucosamine Prods. Mktg. & Sales Practices Litig. (No. II)*, MDL No. 2553 (J.P.M.L. July 17, 2014), ECF No. 18.

Thus, in order to avoid the time and expense of litigating this matter during the pendency of settlement approval proceedings in *Quinn*, the Parties respectfully and jointly stipulate to a stay of this action.

WHEREFORE, IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel for Plaintiff Christopher Nelson and Defendant Walgreen Co., subject to the approval of the Court, that this action is stayed.

Dated: July 28, 2014

BIGGS AND BATTAGLIA

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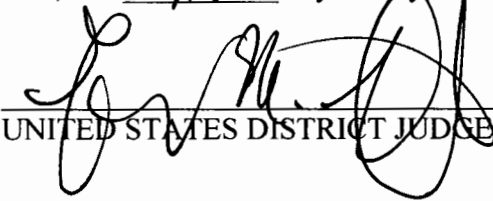
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*Attorneys for Defendant
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IT IS SO ORDERED, this 29th day of July, 2014.



UNITED STATES DISTRICT JUDGE

