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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

MAMADOU M' BAYE,  
Plaintiff,  
v.  
DIAGEO AMERICAS SUPPLY, INC, a  
California Corporation,  
Defendant.

Case No.: 3:15-cv-01216-L-BGS

**ORDER GRANTING JOINT  
MOTION TO STAY PROCEEDINGS**

The parties have jointly moved to stay proceedings pending the resolution of four different appeals currently before the Ninth Circuit which “will likely provide guidance on issues in this case relating to ascertainability, materiality, predominance, and damages theories.” (Jt. Mot. [Doc. 38].) For good cause shown, the Court **GRANTS** the parties Joint Motion. This matter is hereby stayed pending the Ninth Circuit’s resolution of *Brazil v. Dole Food Company, Inc.*, No. 14-17480 (9th Cir., Filed December 17, 2014); *Jones v. ConAgra Foods, Inc.*, No. 14-16327 (9th Cir., Filed July 14, 2014); *Briseño v. ConAgra Foods, Inc.*, No. 15-55727 (9th Cir., Filed May 13, 2015); and *Kosta v. Del Monte Foods, Inc.*, No. 15-16974 (9th Cir., Filed October 2, 2015). The parties shall notify the Court once the Ninth Circuit has decided all four cases. Should any party feel that the resolution of one or more of these cases provides sufficient guidance on the

1 relevant issues to merit lifting the stay, that party may request that the stay be lifted prior  
2 to the resolution of all four cases.

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4 IT IS SO ORDERED

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6 Dated: April 15, 2016

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Hon. M. James Lorenz  
United States District Judge

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