

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

Lawrence J. Mitchell, Kay Mitchell, Matthew C. Bishop, Tracy Kilgore, Jennifer K. Zeleny, Joseph W. Steele V, Scott Westin, Bruce Bird, Nathan Ornellas, Anu Sood, Brent Miller, Nicholas Beach, Alex Inskeep, Loretta Grady, Richard Fountain, Matthew Gragg, Akoya Lawani, Sharon Williams, Ken Gregory, Sbeen Ajmal, David Self, Edward Dowdy, April Thomas, Don Black, Reza Kamali, Anthony Baquero, Carina Rhea, Shanell Golden, Kim Weston, Adam Brandt, Jacci Brandt, Jennifer King, Ralph McCoy, Aaron Hands, Ayana Smith, Lisa Stern, Mbegane Diouf, Doug Waters, Candyce Ravenell, Paul Fos, Patricia Burkhalter, Blake Knight, Cameron Casey, Jeffery Taylor, Robert Moyer, Marcia Cameron, Gloria Pledger, Charles Jones, Aaron Brodie, Dominique Evans, Richard Farr, Kevin Saliva, Harold Beard, Travis Ashby, Andrew Gorayeb, Scott Mugrage, Edwin Zorilla, Curtis Dowdle, Edward Klann, Steven Stetzel, Glenn Gilleshammer, Wenoka Thompson, Maryann Aldous, Jennifer Porter, Robin Quigg, Tamar Hodges, Barbara Shadoan, Austin Law, Jennifer Ellsworth, Michelle Sterling, Denise Poe, Jamal Dean, Brandon Westman, Concepcion Powell, Adrian Thompson, Eric Talaska, Zachary Christensen, Erica Jones, Stephen Hope, Nedelka Martinsen *et al* and unknown Plaintiffs 1-1,000,000,

Plaintiffs,

v.

Wells Fargo Bank, National Association, a National Banking Association, and Wells Fargo & Company, a Delaware Corporation, and Does 1-5,300,

Defendants.

**ORDER GRANTING STIPULATED
MOTION FOR ORDER GRANTING
DEFENDANTS' MOTION TO STAY
LITIGATION ON THE MERITS
PENDING RESOLUTION OF PENDING
AND ANTICIPATED MOTIONS TO
COMPEL ARBITRATION, AND
SETTING BRIEFING SCHEDULE FOR
PENDING MOTION TO COMPEL
ARBITRATION**

Case No. 2:16-cv-00966

Judge Clark Waddoups

Based on the parties' Stipulated Motion for Order Granting Defendants' Motion to Stay Litigation on the Merits Pending Resolution of Pending and Anticipated Motions to Compel Arbitration, and Setting Briefing Schedule for Pending Motion to Compel Arbitration (ECF No. 36), and for good cause appearing therefor, the Court HEREBY ORDERS that:

(1) Defendants' pending Motion to Stay Litigation on the Merits Pending Resolution of Pending and Anticipated Motions to Compel Arbitration (ECF No. 29) is GRANTED, and that:

(a) litigation on the merits of Plaintiffs' claims in this action—including further briefing and resolution of Defendants' pending Motion to Dismiss the Second Amended Complaint for Failure to State a Claim under Rule 12(b)(6), or, in the Alternative, for a More Definite Statement under Rule 12(e) (ECF No. 30) ("Motion to Dismiss")—is STAYED until the Court has determined whether each of the named Plaintiffs in this action should be compelled to bring his or her claims in arbitration;

(b) should the stay be lifted, the parties shall meet and confer and submit for the Court's approval a proposed briefing schedule on Defendants' Motion to Dismiss;

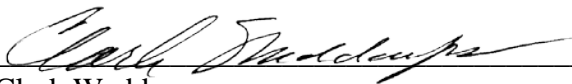
(2) The briefing schedule on Defendants' pending Motion to Compel Arbitration Pursuant to FAA §§ 3-4 (ECF No. 24) ("Motion to Compel Arbitration") is set as follows:

(a) Plaintiffs' deadline to file their opposition to Defendants' pending Motion to Compel Arbitration is December 23, 2016; and

(b) Defendants' deadline to file their reply in support of their pending Motion to Compel Arbitration is January 27, 2017.

DATED this 13th day of December, 2016.

BY THE COURT:

A handwritten signature in cursive script, appearing to read "Clark Waddoups", is written over a horizontal line.

Clark Waddoups
United States District Judge