

**FOR THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RUDOLPH A. KARLO, MARK K. MCLURE,)	
WILLIAM S. CUNNINGHAM, JEFFREY)	Civil Action No. 10-1283
MARIETTI, DAVID MEIXELSBERGER,)	
BENJAMIN D. THOMPSON and RICHARD)	
CSUKAS, on behalf of themselves and all others)	
similarly situated,)	
)	Honorable Nora Barry Fischer
Plaintiffs,)	
)	
vs.)	
)	
PITTSBURGH GLASS WORKS, LLC,)	
)	<i>ELECTRONICALLY FILED</i>
Defendant.)	

**JOINT MOTION TO STAY RULINGS ON MOTIONS
PENDING COMPLETION OF MEDIATION**

The parties, by and through their undersigned counsel, hereby stipulate and file this Motion to Stay Rulings on Motions Pending Completion of Mediation; request that the Court stay consideration of and ruling on the pending Motion to Certify Class and for Court-Facilitated Notice [Doc. 88] and the pending Motion for Summary Judgment [Doc. 101] until after the completion of the parties' mediation that has been scheduled for February 2, 2012; and state as follows:

1. On October 3, 2011, Plaintiffs filed their Motion to Certify Class and for Court-Facilitated Notice [Doc. 88].
2. On November 10, 2011, Defendant filed its Motion for Summary Judgment on Collective Action Allegations and Disparate Impact Claim. [Docs. 101].
3. On December 19, 2011, the parties appeared before the Court to argue issues relating to the Motion to Certify Class and, on January 4, 2012, all briefing relating to that

motion was completed with the parties' filing of requested supplemental briefs. [Doc. Nos. 135 and 136].

4. Briefing on Defendant's Motion for Summary Judgment will be completed on January, 13, 2012, with Defendant's filing of its reply in support of that motion.

5. As indicated in the parties Stipulation Regarding ADR Process [Doc. 40], the parties have agreed to proceed with mediation before Donald E. Ziegler. The parties have now scheduled the in-person mediation session to occur on February 2, 2012.

6. In order to facilitate settlement discussions at that mediation, the parties have agreed they would prefer that the Court stay all consideration of and rulings on the Motion for Class Certification [Doc. 88] and the Motion for Summary Judgment [Doc. 101] pending completion of the mediation.

7. The parties have further agreed that, if the mediation is unsuccessful in settling this matter, the parties will participate in a status conference with the Court on a date to be determined by the Court on or after February 9, 2012. At that conference, the parties will discuss with the Court the possibility that the Court may request further argument or presentation of evidence from the parties' experts. The parties agree that they presently intend to rely upon their existing submissions to the Court regarding the outstanding motions [Doc. 88 and 101] and do not presently intend to make any further written submissions to the Court in advance of its ruling on the motions.

WHEREFORE, the parties respectfully request that the Court issue an Order granting the parties joint motion and stay consideration of the pending Motion for Conditional Certification and Motion for Summary Judgment until February 9, 2012, as contemplated in the attached Proposed Order.

Respectfully submitted,

/s/ Bruce C. Fox

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Respectfully submitted,

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Counsel for Defendant

Dated: January 13, 2012

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been served upon counsel of record by the Court's ECF system, this 13th day of January, 2012, addressed as follows:

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