

Quan-En Yang et al.,
Plaintiffs,
v.
G & C Gulf, Inc., et al.,
Defendants.

* **IN THE**
* **CIRCUIT COURT**
* **FOR**
* **MONTGOMERY COUNTY**
* **Case No. 403885V**
* **Track VI**
*
* **Hon. Ronald B. Rubin**
*

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**MOTION TO STAY CERTIFICATION ORDER AND
PROCEEDINGS PENDING RESOLUTION OF THE
DEFENDANT CLASS'S PETITION FOR WRIT OF MANDAMUS**

Defendant Bruce Patner, on behalf of himself and the defendant class certified by this Court on November 14, 2016 ("the Defendant Class"), by his undersigned counsel, moves for a stay of the Court's certification order and any related proceedings pursuant to Maryland Rule 2-632(a), pending resolution of the Defendant Class's Petition for Writ of Mandamus. In support of this motion, Mr. Patner asserts:

1. On November 14, 2016, this Court certified a mandatory defendant class pursuant to Maryland Rule 2-231(b)(1)(A) and (B).
2. On January 20, 2017, the Defendant Class filed a Petition for Writ of Mandamus ("the Petition") in the Court of Appeals. The Petition challenges the certification of the Defendant Class.
3. On February 6, 2017, the attorneys from the Office of the Attorney General assigned to the matter moved for an extension of their time to file a response to the Petition with

the consent of the Defendant Class. On the same date, the Court of Appeals granted the motion and gave the Office of the Attorney General until March 9, 2017 to respond.

4. The attorneys for Plaintiffs Quan-En Yang, Mary Lois Pelz, and Darcy Pelz-Butler have requested that the Defendant Class consent to Plaintiffs' motion to intervene in the proceeding for a writ of mandamus. The Defendant Class has consented, provided certain argument is removed from Plaintiffs' motion to intervene. On information and belief, Plaintiffs have not yet filed their motion to intervene.

5. The parties continue to confer with the Hon. James R. Eyler about a potential resolution of the matter.

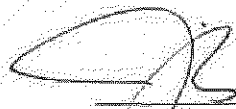
6. The requested stay will potentially avoid the expense to all parties of (i) litigating issues related to notice to the Defendant Class and (ii) issuing notice to the Defendant Class.

7. Rule 2-632(a) provides for a stay of the Court's certification order and further proceedings in these circumstances.

Wherefore, Defendant Bruce Patner requests that this Court stay these proceedings pending resolution of the Petition.

Dated: February 14, 2017

Respectfully submitted,



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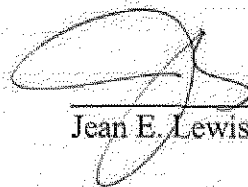
Counsel for Defendant Bruce Patner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 14th day of February, 2017, a copy of the foregoing Motion to Stay Certification Order and Proceedings Pending Resolution of the Defendant Class's Petition for Writ of Mandamus was sent via electronic and first class mail to:

Richard S. Gordon, Esquire
Benjamin H. Carney, Esquire
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Counsel for Plaintiffs.



Jean E. Lewis