

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ST. LOUIS POLICE RETIREMENT SYSTEM, on behalf of itself and All Others Similarly Situated and Derivatively on behalf of Nominal Defendant ABAXIS, INC.,

Plaintiff,

vs.

CLINTON H. SEVERSON, et al.,

Defendants,

ABAXIS, INC.,

Nominal Defendant.

Case No.: 12-CV-5086 YGR

ORDER TERMINATING PENDING MOTIONS TO DISMISS WITHOUT PREJUDICE

United States District Court
Northern District of California

Currently pending before the Court are: (1) the Motion of Director Defendants Severson, Bastiani, Casey, Evenhuis, Singh Altman And Tucker And Nominal And Company Defendant Abaxis, Inc. To Dismiss the Complaint Pursuant To F.R.C.P 12(B)(1), 12(B)(6), and (2) the Motion of Officer Defendants Severson, Santa Ines, Aron, Ostoich, Wood And Mulroy To Dismiss Count IV of the Complaint Pursuant To F.R.C.P. 12(B)(1), 12(B)(6). (Dkt. Nos. 56 and 62)

On August 14, 2013, the parties filed a Stipulation (Dkt. No. 89) seeking, among other things, to have the Court “defer ruling” on the motions pending the outcome of their mediation. The Court granted that stipulated request and set this matter for a case management conference on October 21, 2013. The Court now further orders that the pending motions are terminated without prejudice to re-noticing them after the conclusion of the mediation.

IT IS SO ORDERED. This order terminates Docket Nos. 56 and 62.

Date: September 19, 2013



**YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE**

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