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Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF IDAHO**

KIMBERLEY SMITH, MICHAEL )  
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 HLADUN, MARILYN J. CRAIG, )  
 JEFFERY P. CLEVINGER, and )  
 TIMOTHY C. KAUFMANN, )  
 individually and on behalf )  
 of those similarly situated, )  
 )  
 Plaintiffs, )  
 vs. )  
 )  
 MICRON ELECTRONICS, INC., a )  
 Minnesota corporation, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

Case No. CIV 01-0244-S

**ORDER RE:  
STAY AND SCHEDULING**

The Court having reviewed the parties' Stipulation Re: Stay and Scheduling and good cause appearing therefor; (Docket No. 96).

IT IS HEREBY ORDERED as follows:

1. Except as set forth in paragraphs 2 and 3 below, all discovery and litigation proceedings in this matter are stayed pending completion by the parties of the alternative dispute resolution (ADR) proceedings contemplated and set forth in a separate stipulation and proposed Order, filed concurrently.

2. Defendant shall respond to Plaintiffs' Second Set of Interrogatories to Defendant before the ADR proceedings because answers to such discovery may further the preparation for the ADR proceedings. Pursuant to the agreement of counsel, Defendant shall respond to such discovery and provide complete answers on or before June 4, 2002.

3. Defendant shall file and serve an Answer to Plaintiffs' Second Amended Complaint and Demand for Jury Trial on or before June 4, 2002.

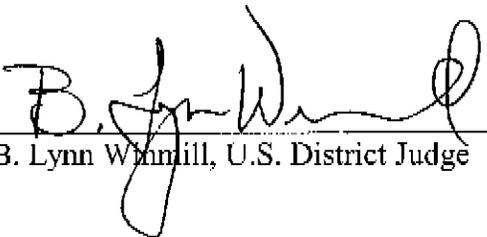
4. The hearing on Plaintiffs' Motion for Conditional Certification, currently set for June 28, 2002, at 9:00 a.m., is vacated and set for September 11, 2002, at 8:00 a.m. in Pocatello, Idaho. Plaintiffs shall prepare and file a Notice of Hearing.

5. In the event the Parties are unable to settle their dispute through the use of the ADR proceedings, the parties shall complete the discovery and briefing anticipated by the Order on Stipulated Motion for Extension of Briefing and Discovery on Conditional Certification of FLSA Collective Action (docket No. 90). Accordingly, counsel shall reserve the following blocks of time for setting of depositions in this matter: July 9-26 and August 5-16, 2002. The deadline for the Defendant to file its responsive materials to Plaintiffs' Motion for Conditional

Certification is August 21, 2002. The deadline for Plaintiffs' materials filed in reply is September 4, 2002.

6. The statute of limitations for Plaintiffs' and putative class members' claims under the FLSA and related state law shall be further tolled from the date of June 28, 2002 (*see* docket No. 90, p. 1), until September 11, 2002.

DATED this 24<sup>th</sup> day of May, 2002

  
\_\_\_\_\_  
B. Lynn Wynnill, U.S. District Judge

United States District Court  
for the  
District of Idaho  
May 28, 2002

\* \* CLERK'S CERTIFICATE OF MAILING \* \*

Re: 1:01-cv-00244

I certify that a copy of the attached document was mailed or faxed to the following named persons:

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✓ Chief Judge B. Lynn Winmill  
       Judge Edward J. Lodge  
       Chief Magistrate Judge Larry M. Boyle  
       Magistrate Judge Mikel H. Williams

Cameron S. Burke, Clerk

Date: 5-29-02

BY: DT  
(Deputy Clerk)