

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

WILLIAM H. CLAFLIN, IV; *et. al.*,

Plaintiffs,

vs.

LAFARGEHOLCIM LTD; INVERSIONES
IBERSUIZAS S.A.; HOLCIM TRADING SA
(F/K/A) UNION MARITIMA INTERNACIONAL
SA; DE RUITER OUDERLANDE B.V.; LAS
PAILAS DE CEMENTO S.A.U.; and
UNKNOWN SUBSIDIARY OF THE
LAFARGEHOLCIM GROUP.

Defendants.

Case No. 1:20-cv-23787

**JOINT STIPULATION AND PROPOSED ORDER REGARDING
STAY AND TOLLING OF DEADLINES**

WHEREAS on September 11, 2020, William H. Claflin, IV; Josephine C. Horan; Patricia M. Claflin; Edward A. Claflin; Elaine Y. Alexander; John K. Spring, Jr.; Helen S. Montero; William C. Spring; Susan K. Spring; David G. Witter; Malcolm G. Witter; Dean Witter III; Helen C. Witter; Katharine C. Weeks; Katharine W. White; Martha W. Sinclair; John W. Weeks Jr.; David C. Weeks; Sinclair Weeks; Stephen D. Weeks; Robert F. Weeks; Estate of Anne C. Allen; Estate of Helen C. Spring; Estate of John W. Weeks; and Estate of Prentice W. Claflin (collectively, the "Plaintiffs") filed a complaint (the "Complaint") against LafargeHolcim Ltd; Inversiones Ibersuizas S.A.; Holcim Trading SA (F/K/A) Union Maritima Internacional SA; de Ruitier Ouderlande B.V.; Las Pailas de Cemento S.A.U.; and Unknown Subsidiary of the LafargeHolcim Group (collectively, the "Defendants");

WHEREAS Defendant LafargeHolcim Ltd (“LafargeHolcim,” now known as Holcim Ltd) reserves all defenses or objections to the lawsuit, the court’s jurisdiction, and the venue of the action, but waives any objections as to the sufficiency of service;

WHEREAS this joint stipulation will promote the efficient and orderly administration of justice;

WHEREAS Plaintiffs and LafargeHolcim jointly stipulated on March 23, 2021 to extend LafargeHolcim’s time to respond to the Complaint until May 21, 2021;

WHEREAS Plaintiffs and LafargeHolcim jointly stipulated on May 19, 2021 to extend LafargeHolcim’s time to respond to the Complaint and stay all deadlines for 5 days;

WHEREAS Plaintiffs and LafargeHolcim participated in a mediation on April 22, 2021 and thereafter reached an agreement in principle to settle this action on May 20, 2021;

WHEREAS, having reached a settlement in principle, Plaintiffs and LafargeHolcim are working to prepare and execute a definitive settlement with the assistance of mediator Judge Layn R. Phillips (ret.), and those efforts remain ongoing;

WHEREFORE the Plaintiffs and LafargeHolcim, through their undersigned counsel, hereby agree, stipulate, and respectfully request that the Court enter an Order as follows:

1. All deadlines for all parties in the litigation are stayed and tolled pending consummation of a definitive settlement agreement or upon such further order of the court.

Respectfully submitted,

Dated: May 21, 2021

**ROIG, TUTAN, ROSENBERG, MARTIN
& BELLIDO, P.A**

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Counsel for Plaintiffs

Dated: May 21, 2021

**STEARNS WEAVER MILLER
WEISSLER ALHADEFF & SITTERSON,
P.A.**

By: /s/ Grace L. Mead
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Counsel for Defendant LafargeHolcim Ltd

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[PROPOSED] ORDER REGARDING STAY AND TOLLING OF DEADLINES

THIS CAUSE came before the Court upon Joint Stipulation Regarding Extension of Time to Respond to the Complaint of the Plaintiffs and defendant LafargeHolcim Ltd and, upon due consideration and for good cause shown,

IT IS HEREBY ORDERED as follows:

All deadlines for all parties in the litigation are stayed and tolled pending consummation of a definitive settlement agreement or upon such further order of the court.

Dated: _____, 2021.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of May, 2021, I electronically filed and served the foregoing with the Clerk of the Court by using the CM/ECF.

By: /s/ Grace L. Mead
Grace L. Mead

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UNITED STATES DISTRICT JUDGE