

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

ADAM STILES, individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

MOBILE FIDELITY SOUND LAB, INC.,

Defendant.

Case No. 1:22-cv-04405

**Hon. Manish S. Shah**

**DEFENDANT MOBILE FIDELITY SOUND LAB, INC.’S  
MOTION TO STAY ACTION IN FAVOR OF FIRST-FILED CASE**

Defendant, Mobile Fidelity Sound Lab, Inc., respectfully moves this Court for an order staying this case pending judicial approval of a nationwide class action settlement reached in a substantially-identical and first-filed class action in the District Court for the Western District of Washington entitled: *Tuttle, et al. v. Audiophile Music Direct, Inc., et al.*, Case No. 2:22-cv-01081-JLR (“*Tuttle*”). Plaintiffs oppose this motion.

1. As discussed in detail in Defendant’s Memorandum of Law in Support (filed simultaneously with this Motion and incorporated herein by reference), a stay of this case is warranted under the well-established first-to-file rule because it is duplicative of *Tuttle*, which involves substantially similar parties, allegations, and requests for relief, and because the proposed nationwide settlement submitted for judicial approval in *Tuttle* will resolve the class claims before this Court.

2. Alternatively, a stay is warranted under this Court’s inherent power because it will not prejudice any party but, rather, will streamline the issues before this Court and prevent duplicative litigation.

WHEREFORE, for the reasons set forth in Defendant's Memorandum of Law in Support of this Motion, filed contemporaneously herewith, Defendant respectfully requests that the Court enter an order staying this litigation until the *Tuttle* court makes a final determination on the approval of the proposed nationwide settlement.

Date: February 7, 2023

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By: /s/ Joseph J. Madonia  
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**CERTIFICATE OF SERVICE**

I hereby certify that on February 7, 2023, a copy of the foregoing was filed electronically. Service of this filing will be made on all registered counsel by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Christine E. Skoczylas