

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION**

RICHARD BARTON,)
JOANNA M. RIEDL,)
NICHOLAS W. HAMILTON,)
CARLA TOMLINSON,)
)
Plaintiffs,)
)
v.) Case No.: 2:21-cv-00319-JRS-MG
)
STEVE GALELLA, DDS,)
ORTHOMATRIX CORP., INC.)
JOHN'S DENTAL LABORATORY, INC.,)
)
Defendants.)

KARAN GILL)
HYE YOON,)
CRYSTAL NASSOURI,)
)
Plaintiffs)
)
v.) Case No.: 2:21-cv-00338-JRS-MG
)
LVI GLOBAL, LLC)
STEVE GALELLA, D.D.S.)
ORTHOMATRIX CORP., INC.)
JOHN'S DENTAL LABORATORY, INC.)
)
Defendants.)

STEPHANIE O'CONNOR,)
ARI SILBERMAN,)
AMANDA HAYS,)
)
Plaintiffs,)
v.) Case No.: 2:21-cv-00374-JRS-MG
)
JOHN'S DENTAL LABORATORY, INC.)
STEVE GALELLA, D.D.S.)
ORTHOMATRIX CORP., INC.,)
)
Defendants.)

AKIKO SHOSHIDO,)	
ROBON STROEBEL,)	
IRIS MATARO,)	
)	
Plaintiffs,)	Case No.: 2:21-cv-00438-JRS-MG
v.)	
)	
JOHN’S DENTAL LABORATORY, INC.)	
STEVE GALELLA, D.D.S.)	
ORTHOMATRIX CORP., INC.,)	
)	
Defendants.)	

DEFENDANTS’ JOINT MOTION TO STAY

NOW COME Defendants Steve Galella, D.D.S., John’s Dental Laboratory, Inc. and OrthoMatrix Corp., Inc. (“**Defendants**”) by their respective attorneys, O’NEILL MCFADDEN & WILLETT LLP, RIVKIN RALDER LLP, and AMUNDSEN DAVIS, LLC and for their Joint Motion to Stay, state as follows:

1. In the instant action, Plaintiffs filed causes of action against numerous Defendants, including Steve Galella, D.D.S., John’s Dental Laboratory, Inc. and OrthoMatrix Corp., Inc.
2. The allegations in Plaintiffs’ Complaints (“**Complaints**”) relate to dental treatment involving a dental appliance referred to as the Anterior Growth Guided Appliance (“**AGGA**”).
3. Specifically, Plaintiffs have alleged that Defendants committed negligence and other violations of Indiana law by way of their involvement with AGGA, including marketing the appliance, teaching courses about the appliance, failing to warn others about the purported risks associated with the appliance, preparing treatment plans for dentists associated with the appliance, approving the fabrication of the appliance and the fabrication of AGGA.
4. The U.S. Attorney's Office for the Western District of Tennessee and the U.S. Department of Justice are conducting a criminal investigation concerning the events that are the

subject matter of the civil claims in the instant case for the purpose of potentially bringing criminal charges against Defendants.

5. Accordingly, Defendants pray that this Court stay the pending civil action in light of the ongoing federal criminal investigation and grand jury proceedings.

6. Defendants request that this Court stay this matter in its entirety to include staying all deadlines to answer any outstanding discovery and staying all discovery and potential trial deadlines in light of the potential criminal proceedings.

WHEREFORE, Defendants prays that this Court would grant their joint motion to stay.

Dated: April 5, 2023.

Respectfully submitted,

Defendant Steve Galella, D.D.S.

Defendant, John's Dental Laboratory, Inc.

By His Attorneys,

By Its Attorneys,

/s/ Michael E. O'Neill

/s/ Jeffrey R. Oberlies

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Defendant, OrthoMatrix Corp., Inc., also
d/b/a Facial Beauty Institute

By Its Attorneys,

/s/ Brian L. Feld

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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of April, 2023, the foregoing *Defendants' Memorandum In Support Of Joint Motion To Stay* was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's electronic filing system.

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By: /s/ Michael E. O'Neill