

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

TRANSCONTINENTAL REALTY	)	
INVESTORS, INC., a Nevada Corporation,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 2:16cv953-WHA
v.	)	
	)	
THE LAKES OF MILLBROOK	)	
APARTMENTS, LLC, an Alabama	)	
Limited liability company,	)	
	)	
Defendant.	)	

**MEMORANDUM OPINION AND ORDER**

This cause is before the court on a Motion to Dismiss for Forum Non Conveniens, or in the Alternative, Motion to Stay or Abate, or in the Alternative, Motion to Transfer Venue (Doc. #9).

A companion case to this one is pending in Texas State Court, *The Lakes of Millbrook Apartments, LLC v. Sendera Title LLC, et al.*, CC-05931-A. A Motion to Dismiss has been filed in that case by Defendant Transcontinental Realty Investors, Inc. (“Transcontinental”).

Transcontinental has argued that the Texas court lacks jurisdiction over its claims which are pending in this court, and that Transcontinental’s claims are necessary counterclaims in the Texas case. The Texas court has set the motion for hearing on March 24, 2017. In light of the status of the Texas case, and the pending jurisdictional issue, this court finds it appropriate to stay the instant case until the Texas court has decided the motion pending there.

Accordingly, it is hereby ORDERED that this case is stayed until the County Court at Laws No. 1, Dallas County, Texas has ruled on the Motion to Dismiss filed in *The Lakes of*

*Millbrook Apartments, LLC v. Sendera Title LLC, et al.*, CC-05931-A.

The parties are DIRECTED to file a report on the status of the Texas case with this court on or before April 28, 2017.

Done this 8th of February, 2017.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE