

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**IN RE: THE MATTER OF TAIRA)
LYNN LIMITED NO. 7, etc., et al.,)
PRAYING FOR EXONERATION) CIVIL ACTION 13-0318-WS-C
FROM OR LIMITATION OF)
LIABILITY)**

ORDER

Counsel for claimant Andre Files has filed a suggestion of Files' death. (Doc. 724). The suggestion is **noted**, with the reminder that, “[i]f [a] motion [to substitute] is not made within 90 days after service of a statement noting the death, the action by or against the decedent must be dismissed.” Fed. R. Civ. P. 25(a)(1).

Counsel “[m]oves and asks the court to abate this Matter as to the claims of Andre Files until a proper representative is appointed.” Because no showing of the factual necessity or legal propriety of such a stay has been offered, the motion is **denied**.¹

DONE and ORDERED this 9th day of May, 2016.

s/ WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE

¹ Counsel assures the Court that a motion to substitute “will be filed as soon as an estate representative is appointed,” so the Court can perceive no reason counsel cannot continue to prosecute this action in the brief interim.