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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Kenly Farms, Inc.,

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No. CV 07-202-PHX-SMM

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Plaintiff,

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ORDER

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vs.

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Glenn Walters Nursery, Inc.,

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Defendant.

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Pending before the Court is a motion filed by Defendant Glenn Walters Nursery, Inc. requesting a stay of proceedings in this matter pending the decision of the United States District Court for the District of Oregon as to Plaintiff's Motion to Dismiss in Glenn Walters Nursery, Inc. v. Kenly Farms, Inc., Case No. 07-CV-74-AA. In the alternative, Defendant moves the Court for an order extending for 60 days the time to answer or otherwise respond to Plaintiff's Complaint. (Dkt. 10.)

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The Court finds that the best interests of justice and the parties require Defendant's Motion to Stay or, in the alternative, for Extension of Time to Answer, be fully briefed before the Court rules on its request. Given that Defendant's Motion will not be fully briefed before its answer or other response is due,

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IT IS HEREBY ORDERED that the time period for Defendant to file an answer or other response to Plaintiff's Complaint be extended until the Court rules on Defendant's Motion to Stay.

DATED this 13th day of February, 2007.



Stephen M. McNamee
United States District Judge