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NOT FOR PUBLICATION

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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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BRT Funding, LLC, a Delaware limited liability company,

No. CV-08-01151-PHX-FJM

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Plaintiff,

ORDER

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vs.

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Carlsbad Development I, LLC, a Utah limited liability company; Richard C.) Bennion and Jane Doe Bennion, husband and wife; Tad Gygi and Jane Doe Gygi, husband and wife; Rand Krantz and Jane Doe Krantz, husband and wife; D. Gregory Hales and Jane Doe Hales, husband and wife,

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Defendants.

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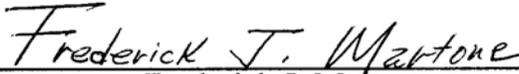
The court has before it plaintiff BRT Funding, LLC's motion to stay consideration of defendants' motion to dismiss (doc. 56). After a long period of inaction and a second entry of default, defendants Joan Bennion, Colleen Gygi, Susan Krantz, and Terri Hales moved to set aside the latest entry of default (doc. 52) and dismiss plaintiff's claims (doc. 53). Plaintiff responded to the motion to set aside, but it moves to stay consideration of defendants' motion to dismiss. Because it would be more efficient to consider both of defendants' motions at once, we deny plaintiff's motion to stay.

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IT IS THEREFORE ORDERED DENYING plaintiff BRT Funding, LLC's motion to stay (doc. 56). Plaintiff shall respond to defendants' motion to dismiss no later than February 26, 2010.

DATED this 24th day of February, 2010.



Frederick J. Martone
United States District Judge